



TESTIMONY BEFORE THE SENATE FINANCE COMMITTEE

**Senate Bill 221: Health Care Facilities – Disclosures – Use of Life-Sustaining Procedures**

POSITION: Favorable with Amendment

This bill requires each health care facility to disclose specified practices established for the facility regarding the implementation of advance directives and the use of cardiopulmonary resuscitation and “do not resuscitate” orders. In addition, facilities have to request a copy of any advance directive made by an individual. If an individual is not capable of making an informed decision, the facility has to inform the proxy decision maker of the right to make decisions concerning the individual’s health care and request a copy of the individual’s advance directive.

This bill duplicates existing law for Maryland nursing homes. Maryland law currently requires nursing homes, at the time of admission and whenever information changes during the resident’s stay, to notify the resident and, when applicable, a representative or interested family member, in writing and orally of the right of the resident to formulate advance directives. A nursing facility must document in the clinical record of the resident whether a resident has executed an advance directive and keep a copy of it in the resident’s clinical record or within a location of the nursing home where it is accessible to appropriate administrative, nursing and medical personnel on a 24-hour a day basis. COMAR 10.07.09.04 and 10.07.09.09.

Therefore, LifeSpan Network opposes the changes being made to the Health-General Article. However, LifeSpan will support an amendment that requires the State Advisory Council on Quality Care at the End of Life to develop an information sheet that health care facilities could provide to residents on end-of-life care options. This amendment will ensure that consistent information is being provided throughout the State and would assist nursing homes in meeting their regulatory requirements.

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*LifeSpan Network is a senior care provider association representing approximately 300 providers, including nursing homes, assisted living facilities, medical adult day care providers, continuing care retirement communities and senior housing communities. Our members provide care to approximately 45,000 seniors.*

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