



**General Assembly Weekly Report**  
**Week ending January February 24, 2024**  
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**General Updates**

Friday marked the 45<sup>th</sup> day of Session, which is the halfway point. We are now up to 2,681 bills being introduced. Below is activity for the previous week and this upcoming week.

**Senate Bill 73/House Bill 68: Continuing Care Retirement Communities - Governing Bodies, Grievances, and Entrance Fees.** After our meeting last Friday when LifeSpan (and LeadingAge) stated we would not negotiate on the imposition of sequential refunds or the additional of new Board members, representatives from MaCCRA offered another set of amendments, which would remove the sequential refund changes from the bill. Instead, they are requesting that a CCRC report to the subscriber or the subscriber's beneficiary a detailed explanation every six months of why the unit has not been recontracted or reoccupied until such time that the refund is satisfied. In addition, they are still requesting the addition of one additional subscriber member to the Board for a total of two subscribers. LifeSpan is seeking comments from members. On a related note, a meeting was held on **House Bill 1177: Continuing Care Retirement Communities – Subscriber Rights and Provider Duties.** This bill contains extensive provisions, but, in the end, the main reason for the bill is to create a "Subscriber's Bill of Rights." Given that there is already a bill of rights in nursing homes and assisted living programs, it is unclear the goal that is trying to be achieved.

**Senate Bill 1000/House Bill 1122: Nursing Home – Acquisitions – Revision.** From meetings with our members, LifeSpan sent concerns and suggested changes to the sponsors and the affected State agencies – Maryland Health Care Commission, Office of Health Care Quality, Department of Aging. Another meeting is set for February 29<sup>th</sup> to continue discussions with the hearing scheduled for March 7<sup>th</sup>.

**House Bill 723: Office of the Attorney General – Rights of Residents of Health Care Facilities – Injunctive Relief and Penalties,** which would authorize the Attorney General to seek injunctive relief against a nursing home or an assisted living program on the basis of an imminent or ongoing violation of a basic right. No additional information as to how that decision will be determined is articulated in the bill, but it does authorize fines up to \$10,000. The Attorney General testified on the bill and stated that "it is the number one priority of his office this Session." LifeSpan was the only entity opposing the bill at the hearing.

**House Bill 874: State Board of Long-Term Care Administrators - Requirements for Assisted Living Managers** was heard in the House Health and Government Operations Committee this week. This is a bill sponsored by the Chair and the sponsor panel in support of the bill included LifeSpan, the Board, the Department of Aging and LeadingAge. It extends the date for licensure of assisted living managers from October 1, 2024 to July 1, 2026 and extends the requirement for

small providers to be able to take the 80-hour course until July 1, 2026 as well. Despite the fact that the Board is in support and testified that it needed until July 1, 2026 to be able to comply, AARP, the Alzheimer's Association and the State Long-Term Care Ombudsman requested an extension only to October 1, 2025.

The House Economic Matters Committee and the Senate Finance Committee each heard **House Bill 525/Senate Bill 513: Employment Discrimination - Use of Cannabis Products** on Friday. LifeSpan submitted opposing testimony. The Maryland Chamber of Commerce and the National Federation of Independent Business opposed the bill at the hearing. The bill states that, unless the employer has established by a preponderance of the evidence that an unlawful use of cannabis has impaired an individual's ability to perform the individual's job responsibilities, an employer may not take "adverse action" against the individual. The hearing in the Senate was under one hour; the hearing in the House extended past two hours.

The **Medicaid budget** was heard this week. At this time, there is no discussion centered on any reductions (or increases) of the 3% provider rate increase.

Next week, the following bills are being heard:

- Senate Bill 613 (cross-file): State Board of Long-Term Care Administrators - Requirements for Assisted Living Managers
- Senate Bill 863 (cross-file): House Bill 723: Office of the Attorney General – Rights of Residents of Health Care Facilities – Injunctive Relief and Penalties
- Senate Bill 999: Certified Nursing Assistants – Licensing Requirements and Administrative Updates