

Senate Bill 240 – Office of Health Care Quality Stakeholder Advisory Council - Establishment

Senate Finance Committee

February 3, 2026

Position: SUPPORT

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of SB 240.

For over a decade, the Office of Health Care Quality (OHCQ) failed to adequately oversee Maryland's nursing facilities. In 2024, a class action lawsuit was filed against the Maryland Department of Health (MDH), alleging that for many years OHCQ had failed to conduct required annual inspections of nursing facilities and to investigate complaints. At the same time, CMS data indicated that several Maryland nursing homes had not received an annual inspection for four years or more. Maryland ranked second to last in the U.S. in nursing home inspections.

New leadership at MDH and OHCQ brought about some improvements. In addition, in 2025 the legislature began to address the problem, by requiring in SB 376 (CH0680) that OHCQ regularly report data on their inspections of nursing facilities to the legislature and to the Local Area Agencies on Aging.

SB 240 would further enhance protections for people in nursing facilities. It would establish an OHCQ Stakeholder Advisory Council and require that OHCQ regularly report to the Council their data on inspections, violations found, complaints, and resolved complaints. The Council could provide constructive feedback and recommendations to OHCQ, and if necessary, report any deficiencies found to the Secretary of the Department of Health.

People with serious mental illness can be especially negatively impacted by poor quality nursing facilities. About 20% of people living in nursing homes have been diagnosed with a serious mental illness.¹ Despite efforts by the federal government to reduce unnecessary institutionalization of people with mental illness in nursing facilities,² over the last two decades the percentage has continued to rise.

¹ Hannah C. Ratliff et al. Turnover in Nursing Homes that Serve Residents with Serious Mental Illness. J Am Med Dir Assoc (2025). <https://pmc.ncbi.nlm.nih.gov/articles/PMC10089963/>

² Though requiring the use of the Preadmission Screening and Resident Review (PASRR) process.

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More concerning, multiple studies have found that people with serious mental illness who reside in nursing homes are in facilities that provide worse than average care.³ These facilities have higher rates of hospitalization and untreated pain, higher staff turnover, and lower star ratings, and they fail to ensure that adequate psychiatric care is provided to residents in need of psychiatric care.

People with serious mental illness and older adults are among Maryland's most vulnerable populations. Without adequate oversight of Maryland's nursing homes, they can suffer in poor quality facilities. It is critical that further action be taken to ensure that inspections are completed and complaints are resolved. For these reasons, MHAMD supports SB 240 and urges a favorable report.

³ Taylor Bucy. Serious Mental Illness in Nursing Homes: Stakeholder Perspectives on the Federal Preadmission Screening Program. J Aging Soc Policy (2022). <https://pmc.ncbi.nlm.nih.gov/articles/PMC9709959/>