



Maryland
Hospital Association

February 5, 2024

To: The Honorable Luke Clippinger, Chair, House Judiciary Committee

Re: Choose an item.- House Bill 359- Petition for Guardianship of the Property of Alleged Disabled Person – Stay of Civil Actions and Proceedings

Dear Chair Clippinger:

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment on House Bill 359.

MHA fully supports all efforts to improve the Maryland health care system and hospital experience for patients. HB 359 would further assist patient care and hospital throughput by restricting civil actions taken against the assets of disabled patients who have filed for a guardian.

Often patients are admitted to hospitals without family or representatives to speak on their behalf. In some instances, these disabled patients are incapacitated and unable to account for their finances. HB 359 places a stay on civil actions once a disabled person files for a petition for guardianship of the property. This guardianship legislation protects patients from incurring additional financial hardship while unable to contest.

In many instances, patients are unable to be transported to post-acute settings due to financial impediments. Issues such as lacking access to bank accounts and asset acquisition, stand in between a patient receiving the next step in care. HB 359 would delay any actions against a patient's personal property until a guardian is appointed—giving patients a greater opportunity to retain assets while the guardianship petition works its way through the judicial system—a process that often can take months.

For these reasons, we request a favorable report on HB 359.

For more information, please contact:

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