

****This corrects the original press release our office issued yesterday evening (4/9) by replacing SB 488 with HB 947 and removing SB 949. We apologize for any inconvenience.**



FOR IMMEDIATE RELEASE

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Attorney General Anthony Brown Announces Passage of His Top Priority Bills Strengthening Protections for Marylanders as 2024 Maryland General Assembly Legislative Session Concludes
Key Victories Range from Stronger Enforcement Authorities Protecting Vulnerable Adults to Stronger Accountability for the Gun Industry

BALTIMORE, MD (April 9, 2024; Updated April 10, 2024) – Maryland Attorney General Anthony G. Brown is proud to announce the successful culmination of his legislative efforts focusing on stronger legal protections for Marylanders and enhanced authorities for the Office of the Attorney General (OAG) to better safeguard Marylanders.

“We worked with the General Assembly this session to protect the health, safety, and basic rights of Marylanders, especially our most vulnerable in nursing homes and assisted living facilities,” **said Attorney General Brown**. “We also passed legislation that will hold the gun industry accountable for its role in the violence occurring in our communities; establish a truly independent correctional ombudsman to provide oversight of the manner in which we treat, rehabilitate, and return incarcerated persons to our communities; and provide the Office of the Attorney General the tools to recover for losses sustained by the State from the tragic incident at the Francis Scott Key Bridge. Our work this session reinforces our commitment to ensuring equity and justice for all Marylanders.”

Among Attorney General Brown’s high priorities was strengthening protections for our state’s growing population of aging and vulnerable adults. Thanks to the support of the General Assembly, OAG-sponsored legislation was passed extending the state’s existing Residents’ Bill of Rights to include assisted living facilities that provide care to elderly and vulnerable adults, helping to ensure that they are treated with respect. It also provides our Medicaid Fraud and Vulnerable Victims Unit (MFVVU) the authority to seek injunctive relief that will require assisted living facilities found to be in violation of those fundamental rights to stop doing so immediately. Legislation was also passed that gives the MFVVU the power to issue subpoenas in ongoing investigations into healthcare fraud.

With respect to public safety, a top priority for the Attorney General and the leading concern for Marylanders, the Attorney General testified in support of common-sense gun safety legislation resulting in increased accountability for gun manufacturers and gun dealers. The OAG, county attorneys, and the Baltimore City Solicitor can now sue gun manufacturers and sellers who knowingly conduct business that harms the public, like selling guns illegally.

The Attorney General has been vocal about the critical need for independent oversight over Maryland's state correctional facilities. He applauds the passage of legislation that establishes a new Office of the Correctional Ombudsman as an independent state agency. The bill also moves the Juvenile Justice Monitoring Unit from the OAG to the Office of the Correctional Ombudsman. The Attorney General believes this is a common sense move that best serves the state. In addition, the Attorney General commended passage of amendments to the Walter Lomax Act that will allow exonerees expanded access to the benefits to which they are entitled.

Attorney General Brown also applauded the passage of two bills proposed by the Sexual Assault Evidence Kit (SAEK) Committee, which is chaired by our office. The committee has worked hard to develop and share best practices regarding sexual assault evidence kits so that survivors are able to obtain the justice they deserve. These bills will: 1) protect survivors of sexual assault by banning self-administered sexual assault evidence kits – which are not admissible in court and may make holding perpetrators accountable more difficult – and 2) allow for reimbursement of the costs associated with forensic examinations conducted virtually and authorize the study of a telehealth forensic examination pilot program to enhance access to this service across the state.

Attorney General Brown was humbled by the outpouring of effort by his staff, who share his goal of better protecting Marylanders, to help make this legislative session a resounding success. Please click on the image below to see a short social media video on the OAG's efforts this legislative session:



Bills that were passed during this legislative session will be enacted when they are signed by Governor Wes Moore. The date that each law becomes effective is within the language of each bill and can be found on the Maryland General Assembly [website](#).

Bills Enacted During the 2024 Legislative Session Supported by the Office of Attorney General

HB 723 Office of the Attorney General – Rights of Residents of Health Care Facilities – Injunctive Relief

Many of our aging adults and vulnerable adults must seek care and assistance services from long-term care or assisted living facilities and depend upon those facilities to help address their

basic needs. House Bill (HB) 723 authorizes the OAG to seek injunctive relief for violations of the Residents' Bill of Rights that may not rise to the level of criminal abuse but are still violations of an individual's fundamental human rights. The bill further addresses the rights of assisted living residents and extends enforcement authority of the OAG into assisted living facilities. This legislation was a priority for Attorney General Brown.

HB 1002 Office of the Attorney General – Investigative Authority – Health Care Fraud

The U.S. Department of Justice estimates that up to 10 percent of all healthcare expenditures every year are lost to fraud – the OAG's MFVVU investigates and prosecutes this type of fraud in Maryland. Without access to recipient medical records, healthcare fraud prosecutions cannot take place. HB 1002 authorizes OAG to issue a subpoena for the limited purpose of furthering an ongoing healthcare fraud investigation.

HB 947 Civil Actions - Public Nuisances - Firearm Industry Members (Gun Industry Accountability Act of 2024)

HB 947 will give the Attorney General, a county attorney, and the Baltimore City Solicitor authority to sue firearms manufacturers and gun dealers for knowingly creating, maintaining, or contributing to harm to the public through the sale, manufacture, distribution, importation, or marketing of a firearm-related product by engaging in conduct that is unlawful or unreasonable based on the totality of the circumstances.

SB 1103 Hospitals and Related Institutions – Outpatient Facilities Fees

Hospitals are able to charge patients a facility fee for services provided by any healthcare provider it employs and at any facility it owns, even if the patient never sets foot in the hospital. Senate Bill (SB) 1103 requires the Health Services Cost Review Commission (HSCRC), in consultation the OAG's Health Education and Advocacy Unit (HEAU) and others, to 1) study and make recommendations on hospital outpatient facilities fees, 2) convene a workgroup to advise the HSCRC on expanding facility fee notices to all outpatient services, and 3) to consider the impact of expanding the notice to consumers. This legislation was a priority for Attorney General Brown.

HB 1047 Consumer Protection - Self-Administered Sexual Assault Evidence Collection Kits

HB 1047 bans selling, offering for sale, or distributing self-administered sexual assault evidence collection kits. The bill also establishes the Forensic Nurse Examiner Training Grant Program and a fund to support the program.

SB 950/HB 1127 Sexual Assault Forensic Examinations Conducted Through Telehealth - Reimbursement and Study

SB 950/HB 1127 authorizes the reimbursement of a sexual assault forensic exam conducted through peer-to-peer telehealth under certain circumstances and requires the Maryland Sexual Assault Evidence Kit Policy and Funding Committee to conduct a study on the feasibility of a telehealth program that includes a pilot program for conducting sexual assault forensic examinations through telehealth. The bill also requires the committee to report its findings and recommendations to the General Assembly on or before December 1, 2024.

HB 1086/SB 890 Compensation for Individuals Erroneously Convicted - Alterations

The enactment of the Walter Lomax Act established a fair and straightforward path for exonerees to receive compensation and state-issued benefits. HB 1086/SB 890 builds upon the Walter

Lomax Act by adjusting the benefits start time to coincide with the Administrative Law Judge's award order, extending access to higher education benefits, and expanding eligibility criteria to include those wrongfully convicted of conspiracy to commit a felony. This legislation is vital for exonerees, providing fairer compensation and rectifying systemic injustices in our legal system.

SB 134 Office of the Correctional Ombudsman - Establishment and Funding

SB 134 establishes the Office of the Correctional Ombudsman and requires the Ombudsman to conduct investigations, reviews, and assessments of administrative acts taken by the Department of Public Safety and Correctional Services, by the Department of Juvenile Services, or in relation to individuals confined by either department.

HB 432 Courts and Judicial Proceedings and Criminal Procedure - Technical Corrections - References to Intellectual Disability

HB 432 changes references of the outdated term "mental retardation" to "intellectual disability" in certain criminal law statutes. The existence of the phrase in multiple statutes in the code has demeaned the dignity of those to whom they are directed, and the OAG is pleased to see it replaced.

The Attorney General extends his deep appreciation to Governor Wes Moore, members of the Maryland General Assembly, and the professionals of the Office of the Attorney General for the dedication, professionalism, and commitment that resulted in these legislative achievements.

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<https://www.marylandattorneygeneral.gov/press/2024/040924.pdf>