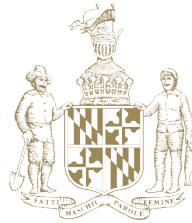


J. SANDY BARTLETT
Legislative District 32
Anne Arundel County

Vice Chair
Judiciary Committee



The Maryland House of Delegates
6 Bladen Street, Room 101
Annapolis, Maryland 21401
410-841-3370 · 301-858-3370
800-492-7122 Ext. 3370
Sandy.Bartlett@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Professor Dianne Hoffman
University of Maryland Francis King Carey School of Law
500 W. Baltimore Street
Baltimore, MD 21201-1786

Dear Professor Hoffman,

I am writing to request your assistance in convening a workgroup to address a long-standing issue related to the appointment of guardians for health care decision making. It is not a statutorily authorized workgroup, but if you are able to convene interested parties, any recommendations from the workgroup would be considered and appreciated. Your experience in both health law and ethics makes you particularly well suited for this work and to serve as the neutral convener.

Specifically, hospitals are concerned with the time it takes for the appointment of a guardian for individuals who are in the hospital and unable to consent for treatment but who no longer need acute care services. While waiting for a guardian to be appointed, patients' conditions often deteriorate due to isolation and the inability to be placed in the appropriate treatment setting. When a patient who no longer needs acute care cannot be discharged, it limits access to care for those who need to be admitted. This also impacts hospital emergency departments because those patients often end up "boarding" in the emergency department.

I sponsored legislation this past session (HB 698/SB 759) to speed up the guardianship appointment process, but there was significant opposition including the disability community, local offices on aging, the mental health community, and the judiciary. These organizations raised legitimate concerns about protecting the rights of individuals to make their own health care decisions and the need to find the least restrictive approach.

Thank you for your consideration of this request.

Sincerely,

Sandy

J. Sandy Bartlett, Esq.