

YOUR RIGHTS in an Assisted Living Facility



Who We Are

Established in 1911, Maryland Legal Aid is a statewide private, nonprofit law firm that provides free, civil legal services to low-income and vulnerable people to address their most fundamental legal problems. From our 12 offices throughout the state, we help our clients preserve and access safe and affordable housing, maintain and regain custody of their children, and be safe from domestic violence. Maryland Legal Aid increases our clients' economic security by defending against consumer debt, including foreclosures and tax sales, removing barriers to employment, and accessing critical income supports such as unemployment, food stamps and other vital public benefits. Through special projects, we represent elder adults, nursing home residents, migrant farm workers, and children in alleged abuse and neglect cases. In its advocacy, Maryland Legal Aid seeks systemic change through impact litigation, in our advocacy, and by storytelling.

Know Your Rights!

This brochure is for Maryland residents and contains general information about your rights, but is not meant to be legal advice. Every effort is made to keep this information current. However, the law sometimes changes. If you need information about your specific situation, or if you have a pending legal case, you should seek counsel from Maryland Legal Aid or another legal resource.

What are my rights in an assisted living facility?

An Assisted Living Facility is a facility licensed by the state that provides housing and services for people who need help with daily living, including supportive services, supervision, personal assistance, and/or health-related services. Your housing and your daily services are under one contract. Assisted living facilities, are NOT nursing homes, state facilities, or self-directed services to assist you in your own home.

What are my rights in an assisted living facility?

As a resident in an assisted living facility, you have the right to:

- Be treated with consideration, respect, and dignity;
- Participate in your own care;
- Refuse treatment;
- Privacy and confidentiality;
- Be free from physical, verbal, sexual and mental abuse;
- Manage your personal financial affairs;
- Meet with a lawyer in private;
- See friends and family in private;
- Complain about problems;
- Review your medical records;
- Have input into the choice of a roommate;
- Receive 30 days notice before any discharge, unless it is an emergency.

You have many detailed rights, and this brochure does not list them all. If something bad happens and you think your rights were violated, you should take action.

What are my rights if the assisted living facility wants me to leave?

Your assisted living facility's Resident Agreement tells you when you can be discharged against your will. The Resident Agreement is a contract. The assisted living facility can only discharge you for the reasons described in the Resident Agreement. Read your Resident Agreement carefully before signing.

You have a right to 30 days notice if the facility wants to discharge you against your will, unless it is an emergency. If you do not have a medical emergency, you must give the facility 30 days notice before you leave. If you do not give 30 days notice, you may owe the facility money.

Protecting your rights as an Assisted Living Resident

You have options for protecting your rights as an assisted living resident. Pick the options that are right for you, depending on how serious the problem is.

Complain to the Assisted Living Facility

Assisted living facilities must have a procedure for grievances or complaints. They must respond to your complaint promptly. When you are admitted, the facility must give you a written copy of their grievance procedure.

Contact the Long-Term Care Ombudsman

The Long-Term Care Ombudsman (“Ombudsman”) is a free advocate for residents who helps residents resolve their concerns. The Ombudsman assist with voicing complaints to nursing home staff and to the Maryland Office of Health Care Quality and can help you find an attorney or other resources to help. The Ombudsman keeps information confidential and will not act without an individual’s permission. To find your local Ombudsman, call the statewide office at 1-800-243-3425.

File a Complaint with the Maryland Office of Health Care Quality (OHCQ)

OHCQ investigates complaints about assisted living facilities. If you file a complaint, they must investigate your matter. You can contact OHCQ at 1-877-402-8221, file a complaint online or get the complaint form.

Report Abuse or Fraud

If you want to report fraud, waste, or abuse, you can contact the Maryland Department of Health Office of the Inspector General Hotline at 1-866-770-7175 or at health.maryland.gov/oig.

The Office of the Attorney General’s Medicaid Fraud Unit also investigates neglect or abuse, you can contact the Medicaid Fraud Unit at 410-576-6521.

Contact an Attorney

Maryland Legal Aid may be able to assist you, or you can contact a private attorney. The Lawyer Referral Service in your county can help you find a private attorney.

Maryland Legal Aid's Statewide Long-Term Care Assistance Project

Maryland Legal Aid's Long-Term Care Assistance Project provides free legal help for low-income persons to get the long-term health care they need in the setting of their choice, whether that is at home, in the community through assisted living, or in a nursing home. You can contact the Long-Term Care Assistance project by calling 1-866-635-2948 or go to www.mdlab.org.

Lawyer Referral Service

Contact the Maryland State Bar Association at 1-800-492-1964 or go to www.msba.org.

Resources for more information about assisted living residents' rights and assisted living facilities:

- National Consumer Voice for Quality Long Term Care: www.theconsumervoice.org
- AARP: <https://www.aarp.org/>
- Assisted Living Consumer Alliance: www.assistedlivingconsumers.org

NOTES

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NOTES

This image shows a full page of blank, lined paper. It features approximately 20 evenly spaced horizontal grey lines across its entire width, providing a guide for writing. The paper itself is a clean, off-white color. There are no margins, text, or other markings present on the page.

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Maryland Legal Aid Offices

Centralized Intake: 1-888-465-2468
is now serving all jurisdictions:

Offices

Allegany/Garrett

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Suite 204
Cumberland, MD 21502

Anne Arundel/Howard

2024 West Street
Suite 204
Annapolis, MD 21401
3451 Court House Drive
2nd Floor
Ellicott City, MD 21043

Baltimore City

500 E. Lexington Street
Baltimore, MD 21202

Baltimore County

215 Washington Avenue
Suite 305
Towson, MD 21204

Cecil/Harford

103 S. Hickory Avenue
Bel Air, MD 21014

Lower Eastern Shore Dorchester, Somerset, Wicomico, Worcester

101 Broad Street,
Salisbury, MD 21801

Midwestern Maryland Carroll, Frederick, Washington

22 S. Market Street
Suite 11
Frederick, MD 21701

Montgomery County

600 Jefferson Plaza
Suite 430
Rockville, MD 20852

Prince George's County

8401 Corporate Drive
Suite 200
Landover, MD 20785

Southern Maryland Calvert, Charles, St. Mary's

15045 Burnt Store Road
Hughesville, MD 20637

Upper Eastern Shore Caroline, Kent, Queen Anne's, Talbot

106 N. Washington Street
Suite 101
Easton, MD 21601

TTY Users: Call Maryland Relay, Dial 7-1-1

www.mdlab.org

For more information

www.peoples-law.org

For self-help legal information and
community resources

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