

Article - Health - General

§24-701.

(a) In this subtitle the following words have the meanings indicated.

(b) “Adult day care center” means a nonresidential center that:

(1) Serves the elderly, medically handicapped adults, or victims of Alzheimer’s disease and related disorders;

(2) Meets the definition in § 14-201(b) or § 14-301(b) of this article; and

(3) Is licensed by the Department.

(c) “Facility” means an adult day care center that is wholly owned by and operated under the authority of:

(1) A county or a municipal corporation; or

(2) A nonprofit organization.

(d) “Nonprofit organization” means:

(1) A bona fide religious organization, no part of the earnings of which inures to the benefit of any individual or is used for any purpose other than the maintenance and operation of the facility, the purchase of equipment to be used in the facility, or the expansion of the facility; or

(2) An organization:

(i) That is chartered as a nonprofit corporation and classified by the Internal Revenue Service as nonprofit; and

(ii) No part of the earnings of which inures to the benefit of any individual or is used for any purpose other than the maintenance and operation of the facility, the purchase of equipment to be used in the facility, or the expansion of the facility.

(e) “Wholly owned” includes leased, if:

(1) (i) The lease is for a minimum term of 30 years following project completion; or

(ii) The lease agreement extends the right of purchase to the lessee;
and

(2) The lessor consents to the recording, in the land records of the county or Baltimore City in which the facility is located, of a notice of the State’s right of recovery,

as provided under § 24-706 of this subtitle.