

HOUSE BILL 636

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CF SB 531

By: **Delegate Belcastro**

Introduced and read first time: January 31, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Health Care Commission – Assisted Living Programs – Study**

3 FOR the purpose of requiring the Maryland Health Care Commission, in consultation with
4 the Office of Health Care Quality, the Maryland Long–Term Care Ombudsman
5 Program, the Medicaid Administration, the Governor’s Workforce Development
6 Board, and interested stakeholders, to conduct a study regarding the quality of care
7 provided by certain assisted living programs; and generally relating to a study of
8 assisted living programs.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 That:

11 (a) The Maryland Health Care Commission, in consultation with the Office of
12 Health Care Quality, the Maryland Long–Term Care Ombudsman Program, the Medicaid
13 Administration, the Governor’s Workforce Development Board, and interested
14 stakeholders, shall conduct a study regarding the quality of care provided by assisted living
15 programs with nine or fewer beds.

16 (b) In conducting the study required under subsection (a) of this section, the
17 Commission shall:

18 (1) analyze the inspection data from the Office of Health Care Quality to
19 determine, on a systemic level, where quality of care may be improved;

20 (2) examine the entry into and exit from the market for assisted living
21 programs, including any noticeable trends related to inspection data or regulatory
22 requirements;

23 (3) consider the feasibility of developing a reporting system for assisted
24 living programs that protects patient confidentiality and makes data related to catastrophic
25 health emergencies declared by the Governor and quality of care publicly available;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) review the current assisted living program licensure regulations to
2 determine whether these programs should be regulated differently than programs with ten
3 or more beds;

4 (5) determine whether:

5 (i) assisted living programs receive sufficient reimbursement to
6 cover the cost of care for the services provided, including for residents with Alzheimer's and
7 other dementia-related conditions, under initiatives offered through the Maryland
8 Medicaid Administration or other State or local initiatives; and

9 (ii) the Home- and Community-Based Options Waiver, or any other
10 waiver program that may be used for assisted living programs, can be revised to improve
11 the quality of care and increase provider participation; and

12 (6) review staffing resources that could be better utilized and made
13 available for these programs, including measures to encourage the recruitment and
14 retention of staff and meet standards for sufficient staffing.

15 (c) On or before October 1, 2023, the Maryland Health Care Commission shall
16 report its findings and recommendations, including any draft legislation, to the Governor,
17 the Maryland Department of Health, and, in accordance with § 2-1257 of the State
18 Government Article, the Senate Finance Committee and the House Health and
19 Government Operations Committee.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2022.