$\begin{array}{c} 2 lr 2273 \\ CF SB 804 \end{array}$ 

By: Delegate Kelly

Introduced and read first time: February 10, 2022 Assigned to: Health and Government Operations

## A BILL ENTITLED

1 AN ACT concerning

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Continuing Care at Home -	Certificate of Need -	Exemption
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- FOR the purpose of providing that the definition of a health care facility, for the purpose of providing an exemption from the certificate of need requirement, does not include certain facilities that are for the exclusive use of the provider's subscribers who have executed continuing care at home agreements and paid certain entrance fees; and generally relating to continuing care at home and exemptions to certificate of need.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Health General
- 10 Section 19–114(d)(2)(ii)
- 11 Annotated Code of Maryland
- 12 (2019 Replacement Volume and 2021 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 14 That the Laws of Maryland read as follows:
- 15 Article Health General
- 16 19–114.
- 17 (d) (2) "Health care facility" does not include:
- 18 (ii) For the purpose of providing an exception to the requirement for
- 19 a certificate of need under § 19–120 of this subtitle, a facility to provide comprehensive care
- 20 constructed by a provider of continuing care, as defined in § 10–401 of the Human Services
- 21 Article, if:
- 22 1. Except as provided under § 19–123 of this subtitle, the
- 23 facility is for the exclusive use of the provider's subscribers who have executed continuing



## **HOUSE BILL 972**

- 1 care agreements, INCLUDING CONTINUING CARE AT HOME AGREEMENTS, and paid
- 2 entrance fees that are at least equal to the lowest entrance fee charged for an independent
- 3 living unit [or], an assisted living unit, OR A CONTINUING CARE AT HOME AGREEMENT
- 4 before entering the continuing care community, regardless of the level of care needed by
- 5 the subscribers at the time of admission;
- 6 2. The facility is located on the campus of the continuing care 7 community; and
- 8 3. The number of comprehensive care nursing beds in the 9 community does not exceed:
- A. 24 percent of the number of independent living units in a community having less than 300 independent living units; or
- B. 20 percent of the number of independent living units in a community having 300 or more independent living units;
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.