J32lr2426 CF HB 972

By: Senator Beidle

Introduced and read first time: February 7, 2022

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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Continuing	Care at Home -	Certificate o	f Need –	Exemption
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- 3 FOR the purpose of providing that the definition of a health care facility, for the purpose of 4 providing an exemption from the certificate of need requirement, does not include 5 certain facilities that are for the exclusive use of the provider's subscribers who have 6 executed continuing care at home agreements and paid certain entrance fees; and 7 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
- (2019 Replacement Volume and 2021 Supplement) 12
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 13
- 14 That the Laws of Maryland read as follows:

Article - Health - General 15

- 19-114. 16
- 17 "Health care facility" does not include: (d) **(2)**
- 18 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



SENATE BILL 804

- 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.