
By: **Chairman, Environmental Matters Committee (Departmental - Health and Mental Hygiene)**

Introduced and read first time: January 28, 1998

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Assisted Living Programs - Resident Property**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt
4 regulations for the management of resident property by assisted living
5 programs; providing that certain provisions are not applicable to assisted living
6 programs; and generally relating to assisted living programs.

7 BY repealing and reenacting, with amendments,
8 Article - Health - General
9 Section 19-346(b) and 19-1805(b)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1997 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Health - General**

15 19-346.

16 (b) (1) This section provides rights and remedies in addition to, and not in
17 derogation of, any right or remedy that a resident of a facility has under any other
18 law.

19 (2) SUBSECTIONS (D)(2) AND (3), (E), (F), (G), (H), (I), AND (K) OF THIS
20 SECTION DO NOT APPLY TO ASSISTED LIVING PROGRAMS UNDER SUBTITLE 18 OF
21 THIS TITLE.

22 19-1805.

23 (b) (1) The Department, in consultation with representatives of the affected
24 industry and advocates for residents of the facilities and with the approval of the
25 Office on Aging and the Department of Human Resources, shall adopt regulations to
26 implement this subtitle.

1 (2) The regulations adopted under paragraph (1) of this subsection shall:

2 (i) Provide for the licensing of assisted living programs and the
3 renewal of licenses;

4 (ii) Require the Secretary to charge fees in a manner that will
5 produce funds not to exceed the actual direct and indirect costs to the Department for
6 inspecting assisted living program facilities and maintaining the licensure program
7 for assisted living programs under this subtitle; [and]

8 (iii) Require the Department, during a survey or other inspection of
9 an assisted living program, to review the number of waivers granted to the program
10 under subsection (a)(3) of this section and determine whether a change in the
11 program's licensure status is warranted; AND

12 (IV) INCLUDE REQUIREMENTS FOR THE MANAGEMENT OF
13 RESIDENT PROPERTY ENTRUSTED TO THE ASSISTED LIVING PROGRAM.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
15 effect October 1, 1998.