

HOUSE BILL 69

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J3

1999 Regular Session  
(9r0140)

**ENROLLED BILL**  
-- Environmental Matters/Finance --

Introduced by **Chairman, Environmental Matters Committee (Departmental -  
Health and Mental Hygiene)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Assisted Living Programs - Licensure and Inspections**

3 FOR the purpose of providing that the term of licensure for an assisted living  
4 program is 2 years; requiring the Department of Health and Mental Hygiene to  
5 annually inspect assisted living program facilities; and generally relating to  
6 licenses and inspections for assisted living programs.

7 BY repealing and reenacting, with amendments,  
8 Article - Health - General  
9 Section 19-323(a) and 19-1805(a)  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 1998 Supplement)

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

## 1 Article - Health - General

2 19-323.

3 (a) (1) [A] EXCEPT AS PROVIDED UNDER PARAGRAPHS (2) AND (3) OF THIS  
4 SUBSECTION, A license for a related institution[, except for a nursing facility, ] or a  
5 nonaccredited hospital] expires on the first anniversary of its effective date, unless  
6 the license is renewed for a 1-year term as provided in this section.

7 (2) A license for an accredited hospital expires when the certificate of  
8 accreditation expires.

9 (3) A license for a nursing facility AND AN ASSISTED LIVING PROGRAM  
10 AS DEFINED UNDER SUBTITLE 18 OF THIS TITLE shall be for a 2-year term.

11 19-1805.12 (a) The Department shall:

13 (1) Define different levels of assisted living according to the level of care  
14 provided;

15 (2) Require all assisted living programs to be licensed to operate  
16 according to the level of the program;

17 (3) Develop a waiver process for authorizing an assisted living program to  
18 continue to care for an individual whose medical or functional condition has changed  
19 since admission to the program to an extent that the level of care required by the  
20 individual exceeds the level of care for which the program is licensed;

21 (4) Promote affordable and accessible assisted living programs  
22 throughout the State;

23 (5) Establish and enforce quality standards for assisted living programs;

24 (6) Require periodic inspections of assisted living program facilities,  
25 INCLUDING AT LEAST AN ANNUAL UNANNOUNCED ON-SITE INSPECTION;

26 (7) Establish requirements for the qualifications or training or both of  
27 assisted living program employees;

28 (8) Establish a "resident bill of rights" for residents of assisted living  
29 program facilities; and

30 (9) Define which, if any, assisted living programs may be exempt from the  
31 requirements of § 19-311 of this title.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
33 effect October 1, 1999.

