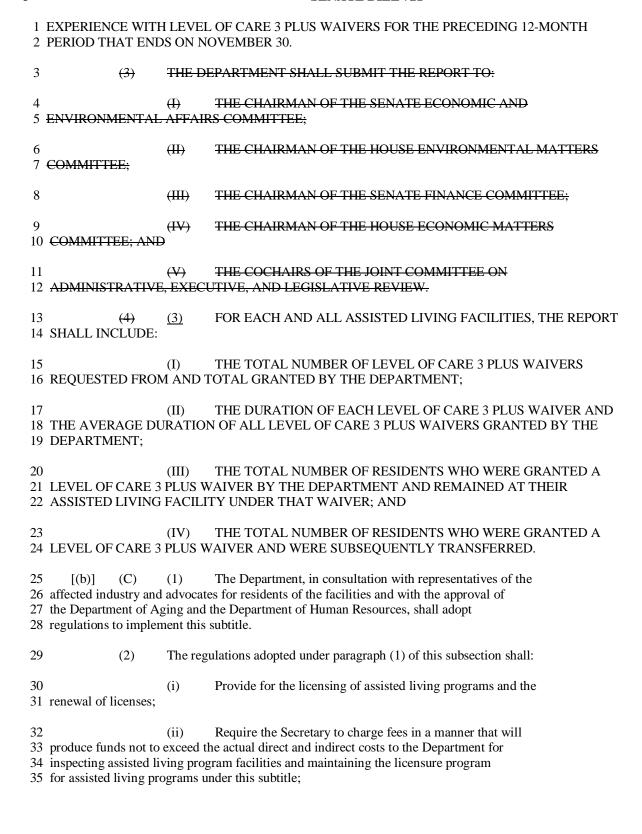
Unofficial Copy J3 1999 Regular Session 9lr2321

By: Senators Van Hollen and Hollinger				
Introduced and read first time: February 22, 1999				
Assigned to: Rules				
Re-referred to: Finance, February 25, 1999				
Committee Report: Favorable with amendments				
Senate action: Adopted				
Read second time: March 26, 1999				
CHAPTER				
1 AN ACT concerning				
1 / III / I Concerning				
2 Department of Health and Mental Hygiene - Assisted Living Prop	grams -			
Report on Level of Care 3 Plus Waivers				
4 FOR the purpose of requiring the Department of Health and Mental Hygiene to				
submit a certain annual report to the Governor and to the General Assembly on				
or before a certain date to the Chairman of the Senate Economic and				
7 Environmental Affairs Committee, the Chairman of the House Environmental				
8 Matters Committee, and the Cochairs of the Joint Committee on Administrative,				
9 Executive, and Legislative Review; specifying the content of the report as it				
relates to certain resident-specific waiver authority of the Department under				
the State for assisted living programs; providing for the termination of this Act; and generally relating to the State assisted living programs.				
and generally relating to the state assisted fiving programs.				
13 BY repealing and reenacting, without amendments,				
14 Article - Health - General				
15 Section 1-101(a) and (c)				
Annotated Code of Maryland				
17 (1994 Replacement Volume and 1998 Supplement)				
18 BY repealing and reenacting, with amendments,				
Article - Health - General				
20 Section 19-1805				
21 Annotated Code of Maryland				
22 (1996 Replacement Volume and 1998 Supplement)				

SENATE BILL 721

2	2 MARYLAND, That the Laws of Maryland read as follows:			
3			Article - Health - General	
4	1-101.			
5	(a)	In this a	rticle the following words have the meanings indicated.	
6	(c)	"Departi	ment" means the Department of Health and Mental Hygiene.	
7	19-1805.			
8	(a)	The Dep	partment shall:	
9 10	provided;	(1)	Define different levels of assisted living according to the level of care	
11 12	according to	(2) the level	Require all assisted living programs to be licensed to operate of the program;	
15	to continue changed sine	ce admiss	Develop a waiver process for authorizing an assisted living program r an individual whose medical or functional condition has ion to the program to an extent that the level of care required by s the level of care for which the program is licensed;	
17 18	throughout t	(4) he State;	Promote affordable and accessible assisted living programs	
19		(5)	Establish and enforce quality standards for assisted living programs;	
20		(6)	Require periodic inspections of assisted living program facilities;	
21 22	assisted livin	(7) ng progra	Establish requirements for the qualifications or training or both of m employees;	
23 24	program fac	(8) ilities; an	Establish a "resident bill of rights" for residents of assisted living d	
			Define which, if any, assisted living programs may be exempt from 19-311 of this title.	
29 30	RESIDENT 10.07.14.10 LICENSED	-SPECIF FOR AN BY THE	IN THIS SUBSECTION, "LEVEL OF CARE 3 PLUS WAIVER" MEANS A IC WAIVER GRANTED BY THE DEPARTMENT UNDER COMAR INDIVIDUAL WHO RESIDES IN AN ASSISTED LIVING FACILITY DEPARTMENT AND WHO IS WITHIN ONE OR MORE OF THE CIFIED IN COMAR 10.07.14.10(J).	
	SHALL SU		ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE DEPARTMENT O THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE TICLE, TO THE GENERAL ASSEMBLY, A REPORT CONCERNING ITS	

SENATE BILL 721



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- 1 (iii) Require the Department, during a survey or other inspection of
- 2 an assisted living program, to review the number of waivers granted to the program
- 3 under subsection (a)(3) of this section and determine whether a change in the
- 4 program's licensure status is warranted; and
- 5 (iv) Include requirements for the management of resident property
- 6 entrusted to the assisted living program.
- 7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 8 October 1, 1999. It shall remain effective for a period of 5 years and, at the end of
- 9 September 30, 2004, with no further action required by the General Assembly, this
- 10 Act shall be abrogated and of no further force and effect.