
By: **Delegate McComas**

Introduced and read first time: February 21, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Assisted Living Facilities - Adult Family Homes - Evaluation of Care**
3 **Provided**

4 FOR the purpose of requiring the Office of Health Care Quality Assisted Living
5 Forum in the Department of Health and Mental Hygiene to conduct an
6 evaluation of the effectiveness of care provided by Adult Family Homes in
7 Maryland and submit a certain report on or before a certain date that addresses
8 and makes recommendations relating to certain issues; providing for the
9 termination of this Act; and generally relating to an evaluation of the
10 effectiveness of care provided by Adult Family Homes in Maryland.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That:

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) "Adult Family Home" means a private residence where one to four
15 individuals who are dependent, elderly, or have disabilities, live and receive care and
16 services from a care provider who is not related to the individuals by blood, adoption,
17 or marriage.

18 (3) "Caregiver" means an individual who provides care for the residents
19 in an Adult Family Home.

20 (4) "Resident" means an individual who lives in an Adult Family Home
21 and receives care and services.

22 (b) The Office of Health Care Quality Assisted Living Forum in the
23 Department of Health and Mental Hygiene shall conduct an evaluation of the
24 effectiveness of care provided by Adult Family Homes in Maryland and submit a
25 report, in accordance with § 2-1246 of the State Government Article, to the General
26 Assembly on or before January 1, 2006. The report shall address and make
27 recommendations relating to:

28 (1) the number of residents diagnosed with dementia or exhibiting
29 symptoms of dementia;

- 1 (2) the competency of the caregivers;
- 2 (3) the education level of the caregivers;
- 3 (4) the rate of illiteracy among the caregivers;
- 4 (5) the training of caregivers in gerontology;
- 5 (6) the rotation of caregivers among two or more homes;
- 6 (7) the dispensing of medication to the residents;
- 7 (8) the cleanliness and housekeeping practices of the homes;
- 8 (9) the nutritional practices of the homes;
- 9 (10) the quality of life enjoyed by the residents including access to
10 amenities such as television, telephone, radio, and a place for family visits;
- 11 (11) the access of residents to community services, religious activities, and
12 physical recreation, if the physical condition of the residents is appropriate for
13 physical recreation;
- 14 (12) an evaluation of the basic safety features of the homes, including
15 handrails and smoke detectors;
- 16 (13) an evaluation of the facilities in relation to the limitations of the
17 residents;
- 18 (14) an evaluation of the residents in general;
- 19 (15) an evaluation of the overall care received by the residents;
- 20 (16) an evaluation of the effectiveness of the registration process of the
21 homes with the Department of Health and Mental Hygiene;
- 22 (17) registration of the homes with the local health departments, law
23 enforcement agencies, and the local fire department;
- 24 (18) community networking to improve facility operation and caregiver
25 skills;
- 26 (19) an evaluation of the complaints filed against the homes;
- 27 (20) an evaluation of the current system for filing and resolving
28 complaints;
- 29 (21) an evaluation of the effectiveness of complaint resolutions;
- 30 (22) an evaluation of negligence issues and shared risks; and

1 (23) an evaluation of whether the homes have liability insurance coverage
2 and whether liability insurance coverage should be required.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2005. It shall remain effective for a period of 7 months and, at the end of
5 January 1, 2006, with no further action required by the General Assembly, this Act
6 shall be abrogated and of no further force and effect.