

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 265
Finance

(Senator Teitelbaum, *et al.*)

Health and Government Operations

Assisted Living Programs - Criteria for Requiring Manager Training

This bill expands the current training requirements that apply to assisted living managers employed by assisted living programs with 17 or more licensed beds to include assisted living managers who are employed by programs that have 5 to 16 licensed beds.

Fiscal Summary

State Effect: Any costs associated with developing the training curriculum could be absorbed within existing budgeted Department of Health and Mental Hygiene (DHMH) resources. Revenues would not be affected.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: A person may not operate an assisted living program in this State without obtaining a license from DHMH.

Chapters 309 and 310 of 2004 provided that, with certain exceptions, by January 1, 2006 an assisted living manager employed by a program with 17 or more licensed beds must complete a DHMH-approved training course. The manager training course must be at least 80 hours, require attendance or participation at training programs, and authorize a maximum of 25 hours of training through Internet courses, correspondence courses, tapes, or other training methods that do not require direct interaction between faculty and

participants. An assisted living manager is required to complete 20 hours of DHMH-approved continuing education every two years.

An assisted living program that fails to employ an assisted living manager who meets these requirements may be subject to a civil penalty of up to \$10,000.

Background: There are approximately 1,575 licensed assisted living facilities in the State, of which about 808 would be affected by this bill. DHMH has been working in consultation with the Mid-Atlantic LifeSpan, the Alzheimer's Association, the Mental Health Association of Maryland, the Small Assisted Living Alliance, the Maryland Association of Small Assisted Living Providers, the Beacon Institute, and the Health Facilities Association of Maryland to develop content areas for the assisted living manager training program. The curriculum covers the core topics of the philosophy of assisted living, the aging process and its impact, assessment and level-of-care waiver, service planning, clinical management, admission and discharge criteria, nutrition and food safety, dementia, mental health and behavior management, end-of-life care, management and operation, emergency planning, quality assurance, and the survey process. The Office of Health Care Quality within DHMH is currently drafting regulations to implement the training program.

Small Business Impact: There are about 808 facilities expected to be affected by the bill, some of which could be small businesses. The cost of the training program is not expected to be prohibitive and therefore should have minimal or no impact on small businesses.

Additional Information

Prior Introductions: None.

Cross File: HB 222 (Delegate Mandel, *et al.*) – Health and Government Operations.

Information Source(s): Department of Health and Mental Hygiene (Office of Health Care Quality), Department of Aging, Department of Legislative Services

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