

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 1322
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “program;” insert “exempting certain housing provided under a certain care program from assisted living requirements; altering a certain definition;”; in line 6, after “information” insert “when applying for initial licensure”; in line 16, after “Assembly;” insert “requiring the Department to adopt certain regulations;”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article 88A - Department of Human Resources

Section 140

Annotated Code of Maryland

(2003 Replacement Volume and 2005 Supplement)

BY repealing and reenacting, with amendments,

Article - Health - General

Section 19-1801

Annotated Code of Maryland

(2005 Replacement Volume and 2005 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“Article 88A - Department of Human Resources

140.

(a) The Department of Human Resources shall administer a care program in this State that provides housing and related services for adults who, because of disability, require a supportive

(Over)

housing arrangement to reside in the community.

(b) In accordance with the State budget, the care program shall:

(1) Provide for the development of care housing;

(2) Provide for case management to disabled individuals residing in care housing;

and

(3) Arrange for the provision of supportive services to disabled individuals residing in care housing.

[(c) The Department of Human Resources may only provide housing under the care program in assisted living program facilities licensed to operate under § 19-1801 of the Health - General Article.]

[(d)] (C) The Department of Human Resources, the Department of Education, the Department of Health and Mental Hygiene, and the Department of Aging shall provide appropriate ancillary services to disabled individuals in the care program in keeping with programmatic eligibility and priority criteria and budgetary resources.

[(e)] (D) The Secretary of Human Resources, the Secretary of Health and Mental Hygiene, the State Superintendent of Schools, and the Secretary of Aging shall:

(1) Coordinate departmental programs to assure that the services needed by disabled adults residing in care housing are provided in an integrated and cost-effective manner; and

(2) Prepare a written memorandum of agreement which will specify what services are to be provided by each departmental program, how the delivery of these services shall be integrated, and the timing of the delivery of the services.”;

and after line 25, insert:

“19-1801.

In this subtitle:

(1) “Assisted living program” means a residential or facility-based program that provides housing and supportive services, supervision, personalized assistance, health-related

services, or a combination thereof that meets the needs of individuals who are unable to perform or who need assistance in performing the activities of daily living or instrumental activities of daily living in a way that promotes optimum dignity and independence for the individuals.

(2) “Assisted living program” does not include:

(i) A nursing home, as defined under § 19-301 of this title;

(ii) A State facility, as defined under § 10-101 of this article;

(iii) A program licensed by the Department under Title 7 or Title 10 of this article;

(iv) A hospice care program regulated by the Department under Subtitle 9 of this title;

(v) Services provided by family members; [or]

(vi) Services provided in an individual’s own home; OR

(VII) A PROGRAM CERTIFIED BY THE DEPARTMENT OF HUMAN RESOURCES UNDER § 140 OF ARTICLE 88A AS A CERTIFIED ADULT RESIDENTIAL ENVIRONMENT PROGRAM”.

AMENDMENT NO. 3

On page 2, after line 8, insert:

“(3) AN APPLICANT FOR LICENSURE SHALL SUBMIT THE FEE ESTABLISHED IN REGULATION UNDER § 19-1805(C)(2)(II) OF THIS SUBTITLE.”;

in line 9, strike “(3)” and substitute “(4)”; in the same line, after “FOR” insert “INITIAL”; strike beginning with “THE” in line 11 down through “(II)” in line 13; in lines 18, 21, 23, and 25, strike “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, and “(V)”,

(Over)

respectively; and in line 32, after “FOR” insert “INITIAL”.

AMENDMENT NO. 4

On page 3, in line 9, after “with” insert “a geriatrician,”; in line 10, strike “Alzheimer’s Disease” and substitute “dementia, an expert in mental illness, representatives from the Board of Nursing, consumers, advocates, the assisted living industry”; in line 12, after “should” insert “not”; in line 13, strike “and”; in line 17, after “subsection” insert “; and

(3) The Department of Health and Mental Hygiene shall adopt regulations as appropriate to implement recommendations developed under this subsection”;

in line 19, strike “September 1” and substitute “June 30”; in the same line, after “2006” insert a comma; and in line 20, strike “shall report”.