
By: **Delegates McComas and Mandel**

Introduced and read first time: February 8, 2006

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2006

CHAPTER_____

1 AN ACT concerning

2 **Assisted Living Programs - Services Disclosure Statement**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene, in
 4 consultation with ~~certain groups~~ the Maryland Health Care Commission and
 5 certain stakeholders, to develop a standard assisted living program services
 6 disclosure statement; providing for the purpose of the disclosure statement;
 7 requiring an assisted living program to file the disclosure statement with the
 8 Office of Health Care Quality; requiring an assisted living program to file an
 9 amended disclosure statement with the Office under certain circumstances;
 10 requiring an assisted living program to provide a copy of the disclosure
 11 statement under certain circumstances; requiring the Department, in
 12 coordination with certain groups and individuals, to develop a certain consumer
 13 education process; requiring the Department, on or before a certain date, to
 14 make a certain report to certain committees of the General Assembly; and
 15 generally relating to the assisted living program services disclosure statement.

16 BY adding to

17 Article - Health - General

18 Section 19-1808

19 Annotated Code of Maryland

20 (2005 Replacement Volume and 2005 Supplement)

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

1

Article - Health - General

2 19-1808.

3 (A) THE DEPARTMENT, IN CONSULTATION WITH ~~STAKEHOLDER GROUPS~~
4 ~~REPRESENTING THE ASSISTED LIVING INDUSTRY~~ THE MARYLAND HEALTH CARE
5 COMMISSION AND STAKEHOLDERS, INCLUDING ADVOCATES, CONSUMERS, AND
6 PROVIDERS OF ASSISTED LIVING SERVICES, SHALL DEVELOP A STANDARD ASSISTED
7 LIVING PROGRAM SERVICES DISCLOSURE STATEMENT.

8 (B) THE PURPOSE OF THE ASSISTED LIVING PROGRAM SERVICES DISCLOSURE
9 STATEMENT IS TO INFORM POTENTIAL CONSUMERS ABOUT THE SERVICES
10 PROVIDED BY AN ASSISTED LIVING PROGRAM IN ORDER TO ASSIST A CONSUMER IN
11 CHOOSING THE MOST APPROPRIATE ASSISTED LIVING PROGRAM.

12 (C) (1) AN ASSISTED LIVING PROGRAM, AS PART OF THE APPLICATION FOR
13 LICENSURE, SHALL FILE WITH THE OFFICE OF HEALTH CARE QUALITY THE
14 ASSISTED LIVING PROGRAM SERVICES DISCLOSURE STATEMENT DEVELOPED BY
15 THE DEPARTMENT.

16 (2) IF AN ASSISTED LIVING PROGRAM CHANGES THE SERVICES
17 REPORTED ON THE ASSISTED LIVING PROGRAM SERVICES DISCLOSURE STATEMENT,
18 THE ASSISTED LIVING PROGRAM SHALL FILE WITH THE OFFICE OF HEALTH CARE
19 QUALITY AN AMENDED ASSISTED LIVING PROGRAM SERVICES DISCLOSURE
20 STATEMENT WITHIN 30 DAYS OF THE CHANGE IN SERVICES.

21 (D) (1) IF AN INDIVIDUAL REQUESTS A COPY OF AN ASSISTED LIVING
22 PROGRAM'S SERVICES DISCLOSURE STATEMENT, THE ASSISTED LIVING PROGRAM
23 SHALL PROVIDE A COPY OF THE SERVICES DISCLOSURE STATEMENT TO THE
24 INDIVIDUAL MAKING THE REQUEST.

25 (2) AN ASSISTED LIVING PROGRAM SHALL PROVIDE A COPY OF THE
26 SERVICES DISCLOSURE STATEMENT TO INDIVIDUALS AS PART OF THE PROGRAM'S
27 MARKETING MATERIALS.

28 SECTION 2. AND BE IT FURTHER ENACTED, That:

29 (a) The Department of Health and Mental Hygiene, in coordination with the
30 Oversight Committee on Quality of Care in Nursing Homes and Assisted-Living
31 Facilities, the Department of Aging, providers, advocates, and other State and local
32 stakeholders, shall develop a process to educate consumers regarding the assisted
33 living program services disclosure statement; and

34 (b) On or before December 30, 2007, the Department of Health and Mental
35 Hygiene shall report to the Senate Finance Committee and the House Health and
36 Government Operations Committee in accordance with § 2-1246 of the State
37 Government Article, on:

38 (1) The number of requests received from consumers for the assisted
39 living program services disclosure statement;

1 (2) The resources required to make the assisted living program services
2 disclosure statement available on-line; and

3 (3) The process to educate consumers developed under subsection (a) of
4 this section.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2006.