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By: **Delegates Elmore, Benson, Bohanan, Boschert, Boteler, Bozman, Bromwell, Cadden, Cane, Cardin, V. Clagett, Cluster, Conway, Cryor, Donoghue, Eckardt, Elliott, Frank, Gilleland, Goodwin, Haddaway, Jameson, Kach, King, Kohl, Krebs, Kullen, Levy, Mayer, McDonough, McKee, Murray, Nathan-Pulliam, Oaks, Patterson, Ramirez, Rudolph, Smigiel, Sophocleus, Sossi, Walkup, Weldon, and Wood**

Introduced and read first time: March 1, 2006  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Department of Aging - Assisted Living Program Subsidies - Rate Setting**  
3 **Authority**

4 FOR the purpose of requiring the Secretary of Aging to provide for and set by  
5 regulation the amount of certain subsidies to assist certain individuals to reside  
6 in certain assisted living facilities; and generally relating to the Department of  
7 Aging and rate setting authority for assisted living program subsidies.

8 BY repealing and reenacting, with amendments,  
9 Article 70B - Department of Aging  
10 Section 4(d)  
11 Annotated Code of Maryland  
12 (2003 Replacement Volume and 2005 Supplement)

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

15 **Article 70B - Department of Aging**

16 4.

17 (d) With respect to assisted living programs, as defined under § 19-1801 of the  
18 Health - General Article, the Secretary shall:

19 (1) Develop assisted living programs for the elderly, in conjunction with  
20 any public or private profit or nonprofit corporation or any State or federal agency;

21 (2) Make maximum use of rent and other subsidies available from  
22 federal and State sources [and];

1           (3)     [provide] PROVIDE for AND SET, BY REGULATION, THE AMOUNT OF  
2 subsidies necessary from State general funds to assist low income elderly individuals  
3 to reside in assisted living programs as an alternative to more costly, but not required,  
4 institutional care, including, when necessary and in accordance with available funds,  
5 monthly subsidies for residents of assisted living programs whose adjusted gross  
6 annual income is less than their cost of care for assisted living services[, provided  
7 that the subsidies meet the gap between income and cost of care to a maximum of  
8 \$650 per month];

9           [(3)]   (4)     Find sponsors for assisted living programs;

10          [(4)]   (5)     Assist developers in formulating design concepts and meeting  
11 program needs;

12          [(5)]   (6)     When necessary and in accordance with available funds,  
13 provide subsidies for congregate meals, housekeeping, and personal services for  
14 assisted living programs and develop eligibility requirements in connection with  
15 these subsidies;

16          [(6)]   (7)     Adopt regulations governing eligibility requirements for  
17 subsidies; and

18          [(7)]   (8)     Review the compliance of assisted living programs with the  
19 regulations adopted by the Secretary of Health and Mental Hygiene for licensing  
20 these programs to operate in the State.

21       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2006.