

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 429 (Senator Young, *et al.*)
Education, Health, and Environmental Affairs

**Developmental Disabilities - Group Homes and Alternative Living Units -
Dispersion**

This bill specifies the General Assembly's intent that group homes and alternative living units be dispersed throughout the State in order to integrate individuals with disabilities into the community and to avoid the creation of an institutional environment. The bill requires a group home or alternative living unit that is located in a business district to be at least 600 feet from any other group home or alternative living unit, emergency housing facility, shelter for battered individuals, overnight shelter, or transitional housing facility. The bill further requires a group home or alternative living unit that is located in a district other than a business district to be at least 1,320 feet from any of those types of facilities. In addition, the bill limits group homes and alternative living units to one home or unit per 1,000 residents in a municipality or county. The bill does not apply to homes or units in operation before January 1, 2013.

Fiscal Summary

State Effect: The bill's requirements are not expected to materially affect governmental finances or operations, as discussed below.

Local Effect: The bill's requirements are not expected to materially affect governmental finances or operations, as discussed below.

Small Business Effect: Minimal.

Analysis

Current Law/Background: Community-based residential programs provide residential services in public group homes, private group homes, and alternative living units for individuals with developmental disabilities. The Secretary of Health and Mental Hygiene

must, in accordance with the State plan, determine the need (if any) for one or more public group homes for developmentally disabled individuals in each county or multicounty region in the State. In making this determination, the Secretary is required to consult with the governing body of each county, the State Board of Education, county boards of education, consumer groups, and other public and private agencies. However, the Secretary makes the ultimate determination with regard to public group home siting. The part of the State plan that relates to the need for public group homes must be sent to each county.

The Office of Health Care Quality (OHCQ) in the Department Health and Mental Hygiene (DHMH) advises that there were 3,033 group homes and alternative living units in fiscal 2011 (up from 2,715 in fiscal 2008).

State Fiscal Effect: OHCQ advises that, under the bill, additional staff is needed to inspect new sites; determine whether a site is located within a business district; and determine a site's proximity to other sites. However, Legislative Services notes that OHCQ already inspects new group homes and alternative living units. Legislative Services further notes that the determination of whether a new home or unit is located in a business district – as well as the proximity of the home or unit to other sites – is readily ascertainable (and, moreover, need only be ascertained with regard to homes or units that were not operational before January 1, 2013). Accordingly, Legislative Services advises that additional staff is not needed to implement the bill.

The Developmental Disabilities Administration in DHMH advises that it does not anticipate additional housing costs associated with the bill's requirements because the bill does not significantly limit the array of available housing locations. Legislative Services concurs with this assessment.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Calvert County, Maryland Department of Planning, Department of Health and Mental Hygiene, Department of Legislative Services

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ncs/mwc

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