

Department of Legislative Services  
Maryland General Assembly  
2017 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 857 (Delegate Angel, *et al.*)  
Health and Government Operations

Finance

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Maryland Mental Health Law - Small Private Group Home - Definition

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This bill increases the *minimum* number of individuals that must be admitted to a private group home – from 9 individuals to 10 – in order for the residence to be a “large private group home.” Accordingly, the bill increases the *maximum* number of individuals that may be admitted to a private group home – from 8 individuals to 9 – in order for the residence to be a “small private group home.”

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Fiscal Summary

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful for large private group homes that currently have nine individuals. Under the bill, these residences are instead considered small private group homes and, thus, are subject to different zoning restrictions.

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Analysis

**Current Law:** Under the Health-General Article, “private group home” means a residence in which individuals who have been or are under treatment for a mental disorder may be provided care or treatment in a homelike environment. The definition does not include (1) a facility owned by or leased to the State or any public agency; (2) a facility that is regulated by the Department of Juvenile Services; (3) a facility that is regulated by the Developmental Disabilities Administration; (4) a facility that is organized wholly or partially to make a profit; or (5) a foster home that is the domicile of the foster parent.

A private group home must be licensed as a behavioral health program by the Department of Health and Mental Hygiene.

“Large private group home” means a private group home that admits a minimum of 9 and a maximum of 16 individuals. “Small private group home” means a private group home that admits a minimum of 4 and a maximum of 8 individuals.

A small private group home is considered a single-family dwelling and is permitted to locate in all residential zones. A large private group home is considered a multifamily dwelling and is permitted to locate in zones of similar density.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene; Department of Legislative Services

**Fiscal Note History:** First Reader - March 1, 2017  
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