

HOUSE BILL 378

J3, J1

5lr1011

By: **Prince George's County Delegation**

Introduced and read first time: January 16, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Assisted Living Programs – Inspections**

3 **PG 405–25**

4 FOR the purpose of requiring the Maryland Department of Health to inspect assisted living
5 programs located in Prince George's County on a certain basis; requiring the
6 Department to publish a report of each inspection on the Department's website
7 within a certain time period and provide the report to the Prince George's County
8 Council; and generally relating to inspections of assisted living programs in Prince
9 George's County.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 19–1805
13 Annotated Code of Maryland
14 (2023 Replacement Volume and 2024 Supplement)

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

17 **Article – Health – General**

18 19–1805.

19 (a) The Department shall:

20 (1) Define different levels of assisted living according to the level of care
21 provided;

22 (2) Require all assisted living programs to be licensed to operate according
23 to the level of the program;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Develop a waiver process for authorizing an assisted living program to
2 continue to care for an individual whose medical or functional condition has changed since
3 admission to the program to an extent that the level of care required by the individual
4 exceeds the level of care for which the program is licensed;

5 (4) Promote affordable and accessible assisted living programs throughout
6 the State;

7 (5) Establish and enforce quality standards for assisted living programs;

8 (6) Require periodic inspections of assisted living program facilities,
9 including at least an annual unannounced on-site inspection;

10 (7) Establish requirements for the qualifications or training or both of
11 assisted living program employees;

12 (8) Establish a “resident bill of rights” for residents of assisted living
13 program facilities that includes, at a minimum:

14 (i) The right to be treated with consideration, respect, and full
15 recognition of human dignity and individuality;

16 (ii) The right to receive treatment, care, and services that are
17 adequate, appropriate, and in compliance with relevant federal and State laws, rules, and
18 regulations;

19 (iii) The right to be free from mental and physical abuse;

20 (iv) The right to be free from mental, verbal, sexual, and physical
21 abuse, neglect, or involuntary seclusion or exploitation;

22 (v) The right to notice, procedural fairness, and humane treatment
23 when being transferred or discharged from a facility;

24 (vi) The right to participate in decision making regarding transitions
25 in care, including a transfer or discharge from a facility;

26 (vii) The right to be free from physical and chemical restraints, except
27 for restraints that a physician authorizes for a clearly indicated medical need; and

28 (viii) The right to manage personal financial affairs;

29 (9) Define which, if any, assisted living programs may be exempt from the
30 requirements of § 19–311 of this title; and

31 (10) For Alzheimer’s special care units:

1 (i) Establish the number of dementia-specific training hours to be
2 completed for those staff working in Alzheimer's special care units;

3 (ii) Determine the topic content for dementia-specific training
4 required for those staff working in Alzheimer's special care units; and

5 (iii) Require staff sufficient to meet the needs of residents in
6 Alzheimer's special care units.

7 **(B) (1) THIS SUBSECTION APPLIES ONLY WITH RESPECT TO AN ASSISTED
8 LIVING PROGRAM LOCATED IN PRINCE GEORGE'S COUNTY.**

9 **(2) THE DEPARTMENT SHALL:**

10 **(I) CONDUCT AN INSPECTION OF EACH ASSISTED LIVING
11 PROGRAM AT LEAST ONCE EVERY 60 DAYS; AND**

12 **(II) 1. PUBLISH A REPORT OF EACH INSPECTION
13 CONDUCTED UNDER ITEM (I) OF THIS PARAGRAPH ON THE DEPARTMENT'S WEBSITE
14 WITHIN 30 DAYS AFTER THE DATE ON WHICH THE INSPECTION WAS COMPLETED;
15 AND**

16 **2. PROVIDE THE REPORT REQUIRED UNDER ITEM 1 OF
17 THIS ITEM TO THE PRINCE GEORGE'S COUNTY COUNCIL.**

18 **[(b)] (C) (1)** The Department, in consultation with representatives of the
19 affected industry and advocates for residents of the facilities and with the approval of the
20 Department of Aging and the Department of Human Services, shall adopt regulations to
21 implement this subtitle.

22 (2) The regulations adopted under paragraph (1) of this subsection shall:

23 (i) Provide for the licensing of assisted living programs;

24 (ii) Require the Department, during a survey or other inspection of
25 an assisted living program, to review the number of waivers granted to the program under
26 subsection (a)(3) of this section and determine whether a change in the program's licensure
27 status is warranted; and

28 (iii) Require an assisted living program facility to post in a
29 conspicuous place visible to actual and potential residents of the facility and other
30 interested parties:

31 1. A. Its statement of deficiencies for the most recent
32 survey;

1 B. Any subsequent complaint investigations conducted by
2 federal, State, or local surveyors; and

3 C. Any plans of correction in effect with respect to the survey
4 or complaint investigation; or

5 2. A notice of the location, within the facility, of the items
6 listed in item 1 of this item.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2025.