

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 378 (Prince George's County Delegation)
Health and Government Operations

Prince George's County - Assisted Living Programs - Inspections
PG 405-25

This bill requires the Maryland Department of Health (MDH) to conduct an inspection of each assisted living program located in Prince George’s County at least once every 60 days. MDH must publish a report of each inspection on the department’s website within 30 days after the date on which the inspection is completed and provide the report to the Prince George’s County Council.

Fiscal Summary

State Effect: Office of Health Care Quality (OHCQ) general fund expenditures increase by an indeterminate but significant amount beginning in FY 2026 for staff to complete additional inspections of assisted living programs in Prince George’s County, as discussed below. Revenues are not affected.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law: An assisted living program is a residential or facility-based program that provides housing and supportive services, supervision, personalized assistance, health-related services, or a combination of such services that meets the needs of individuals who need assistance with the activities of daily living.

MDH, in consultation with representatives of the affected industry and advocates for residents of the facilities and with the approval of the Department of Aging (MDOA) and the Department of Human Services, must adopt regulations to implement the Assisted Living Programs Subtitle of the Health-General Article. Additionally, MDH must:

- define different levels of assisted living according to the level of care provided;
- require all assisted living programs to be licensed to operate according to the level of the program;
- develop a waiver process for authorizing an assisted living program to continue to care for an individual whose medical or functional condition has changed since admission to the program, as specified;
- promote affordable and accessible assisted living programs throughout the State;
- establish and enforce quality standards for assisted living programs;
- require periodic inspections of assisted living program facilities, including at least an annual unannounced on-site inspection;
- establish requirements for the qualifications or training or both of assisted living program employees;
- establish a “resident bill of rights” for residents; and
- establish specified requirements for Alzheimer’s special care units.

Office of Health Care Quality Oversight Requirements

OHCQ within MDH oversees and licenses health care facilities in the State. To ensure compliance with these rules and regulations, OHCQ inspects each health care facility. In general, OHCQ inspects facilities for which a license is sought and periodically after a license has been issued. MDH submits an annual report to the General Assembly regarding the inspections conducted during the immediately preceding year.

OHCQ generally conducts a full site survey of each assisted living program once a year and is responsible for monitoring and inspecting assisted living programs to ensure compliance with regulatory requirements. OHCQ may delegate certain aspects of its monitoring, inspection, or waiver responsibilities to MDOA or a local health department. Additionally, OHCQ or its designee may conduct announced or unannounced licensure or complaint investigation visits.

Under the Code of Maryland Regulations (COMAR [10.07.14.12](#)), an assisted living program must be surveyed on site, at least annually. OHCQ may extend the time between surveys to up to 15 months if it determines that a licensee has demonstrated satisfactory compliance. OHCQ may inspect an assisted living program more frequently than annually through follow-up surveys if it is considered necessary to ensure compliance or for the purpose of investigating a complaint.

A licensed assisted living program, and any premises operated as an assisted living program, must be open at all times to announced or unannounced inspections by OHCQ and by any agency designated by OHCQ. A licensee must maintain records and make reports as required by MDH, which must be open to inspection. In general, the assisted living program must maintain files on site pertaining to current residents, residents who have been discharged within the last six months, staff, and quality assurance activities. If a complaint investigation or survey inspection identifies a regulatory violation, the Secretary must issue a specified notice, and the assisted living program must correct the deficiency by a specified date.

State Fiscal Effect: The bill requires OHCQ to conduct an inspection of each assisted living program located in Prince George’s County at least once every 60 days and publish and provide the inspection report, as specified. OHCQ generally conducts a full site survey of each assisted living program once a year under current law; however, the bill does not specify the requirements of each *inspection* or how it might compare with a full site survey.

As of February 2025, there are 285 licensed assisted living programs in Prince George’s County. Under the bill, in addition to the annual full site survey conducted under current law, each of these facilities must be inspected an additional 5 times each year to ensure at least 1 inspection occurs every 60 days. Thus, the bill requires an additional 1,425 inspections of licensed assisted living programs in Prince George’s County each year.

MDH advises that each full site survey requires an average of 20 hours of staff time to complete. MDH estimates that, to the extent that the inspections required under the bill equate to current annual full site surveys, OHCQ general fund expenditures increase by \$2.7 million in fiscal 2026 for an additional 34 staff (including 22 health facility nurse surveyors) to conduct additional inspections of licensed assisted living facilities in Prince George’s County.

The Department of Legislative Services notes that, to the extent that the required inspections are less extensive than full site surveys conducted under current law, general fund expenditures increase by a lesser amount due to the need for fewer personnel. Nonetheless, OHCQ expenditures increase by an indeterminate but significant amount beginning in fiscal 2026 to conduct five additional inspections of assisted living facilities located in Prince George’s County, with each survey conducted at least once every 60 days.

Small Business Effect: Assisted living programs (the vast majority of which are small businesses) located in Prince George’s County must comply with additional inspections as required by the bill. To the extent that an assisted living program is found in violation under the bill, the assisted living program must correct the deficiency.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Prince George's County; Maryland Department of Health; Department of Legislative Services

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km/jc

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