

HOUSE BILL 623

J3, N1

1lr1639

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

Introduced and read first time: January 22, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Assisted Living Program Licensing – Notice of**
3 **Applicant Located in Common Ownership Community**

4 **PG 401–21**

5 FOR the purpose of requiring the Secretary of Health to notify the county health officer for
6 Prince George's County if the Secretary receives a licensure application under a
7 certain provision of law for an assisted living program that will be located in Prince
8 George's County; requiring the county health officer to determine whether an
9 assisted living program is to be operated within a common ownership community in
10 the county; requiring, under certain circumstances, the county health officer to
11 provide notice of a certain application to the county council and a certain common
12 ownership community; defining a certain term; and generally relating to applications
13 for licensure of assisted living programs in Prince George's County.

14 BY repealing and reenacting, without amendments,
15 Article – Health – General
16 Section 19–1801
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2020 Supplement)

19 BY adding to
20 Article – Health – General
21 Section 19–1804.1(e)
22 Annotated Code of Maryland
23 (2019 Replacement Volume and 2020 Supplement)

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

26 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 19–1801.

2 In this subtitle:

3 (1) “Assisted living program” means a residential or facility–based
4 program that provides housing and supportive services, supervision, personalized
5 assistance, health–related services, or a combination thereof that meets the needs of
6 individuals who are unable to perform or who need assistance in performing the activities
7 of daily living or instrumental activities of daily living in a way that promotes optimum
8 dignity and independence for the individuals.

9 (2) “Assisted living program” does not include:

10 (i) A nursing home, as defined under § 19–1401 of this title;

11 (ii) A State facility, as defined under § 10–101 of this article;

12 (iii) A program licensed by the Department under Title 7 or Title 10
13 of this article;

14 (iv) A hospice care program regulated by the Department under
15 Subtitle 9 of this title;

16 (v) Services provided by family members;

17 (vi) Services provided in an individual’s own home; or

18 (vii) A program certified by the Department of Human Services under
19 Title 6, Subtitle 5, Part II of the Human Services Article as a certified Adult Residential
20 Environment Program.

21 19–1804.1.

22 **(E) (1) IN THIS SUBSECTION, “COMMON OWNERSHIP COMMUNITY”**
23 **MEANS:**

24 **(I) A CONDOMINIUM ORGANIZED UNDER TITLE 11 OF THE**
25 **REAL PROPERTY ARTICLE;**

26 **(II) A HOMEOWNERS ASSOCIATION ORGANIZED UNDER TITLE**
27 **11B OF THE REAL PROPERTY ARTICLE; OR**

28 **(III) A COOPERATIVE HOUSING CORPORATION ORGANIZED**
29 **UNDER TITLE 5, SUBTITLE 6B OF THE CORPORATIONS AND ASSOCIATIONS**
30 **ARTICLE.**

1 **(2) THE SECRETARY SHALL NOTIFY THE COUNTY HEALTH OFFICER**
2 **FOR PRINCE GEORGE’S COUNTY IF THE SECRETARY RECEIVES A LICENSURE**
3 **APPLICATION UNDER THIS SECTION FOR AN ASSISTED LIVING PROGRAM THAT WILL**
4 **BE LOCATED IN PRINCE GEORGE’S COUNTY.**

5 **(3) (I) IF THE COUNTY HEALTH OFFICER FOR PRINCE GEORGE’S**
6 **COUNTY RECEIVES NOTICE PROVIDED UNDER PARAGRAPH (2) OF THIS**
7 **SUBSECTION, THE COUNTY HEALTH OFFICER SHALL DETERMINE WHETHER THE**
8 **ASSISTED LIVING PROGRAM IS TO BE OPERATED WITHIN A COMMON OWNERSHIP**
9 **COMMUNITY.**

10 **(II) IF THE COUNTY HEALTH OFFICER DETERMINES THAT THE**
11 **ASSISTED LIVING PROGRAM IS TO BE OPERATED WITHIN A COMMON OWNERSHIP**
12 **COMMUNITY IN THE COUNTY, THE COUNTY HEALTH OFFICER SHALL SEND NOTICE**
13 **OF THE APPLICATION TO:**

14 **1. THE COUNTY COUNCIL; AND**

15 **2. THE GOVERNING BODY OF THE COMMON OWNERSHIP**
16 **COMMUNITY.**

17 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
18 **October 1, 2021.**