

HOUSE BILL 564

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0lr1775
CF 0lr1778

By: **Delegates Hettleman, Bagnall, Boyce, Cardin, Carr, Charkoudian, Feldmark, Guyton, Henson, Kelly, R. Lewis, McIntosh, Rosenberg, Solomon, Stein, Valentino-Smith, and P. Young**

Introduced and read first time: January 27, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Aging – Assisted Living Program Subsidies – Determinations**

3 FOR the purpose of requiring the Secretary of Aging to pay a certain subsidy to certain
4 low-income seniors from certain funds for certain purposes; increasing, except under
5 certain circumstances, a certain subsidy in effect for certain periods of time based on
6 annual growth in a certain consumer price index; requiring the Secretary, beginning
7 at a certain time, to determine and announce the growth in the consumer price index
8 over a certain period of time, if any, and a new subsidy to assist certain low-income
9 seniors to reside in certain assisted living programs; defining a certain term; and
10 generally relating to subsidies for assisted living programs.

11 BY repealing and reenacting, with amendments,
12 Article – Human Services
13 Section 10–211
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2019 Supplement)

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

18 **Article – Human Services**

19 10–211.

20 (a) **(1)** In this section[, “assisted”] **THE FOLLOWING WORDS HAVE THE**
21 **MEANINGS INDICATED.**

22 **(2)** “**ASSISTED** living program” has the meaning stated in § 19–1801 of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Health – General Article.

(3) “CONSUMER PRICE INDEX” MEANS THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE WASHINGTON–ARLINGTON–ALEXANDRIA, DC–VA–MD–WV METROPOLITAN AREA OR A SUCCESSOR METROPOLITAN AREA INDEX PUBLISHED BY THE FEDERAL BUREAU OF LABOR STATISTICS.

(b) The Secretary shall develop assisted living programs for seniors in conjunction with:

(1) public or private for profit or nonprofit corporations; or

(2) State or federal units.

(c) (1) The Secretary shall:

(i) make maximum use of rent and other subsidies available from federal and State sources; [and]

(ii) **SUBJECT TO ITEM (III) OF THIS PARAGRAPH**, provide [for and set, by regulation, the amount of subsidies necessary] **A SUBSIDY OF \$1,000** from State general funds to assist low-income seniors to reside in assisted living programs as an alternative to more costly institutional care that is not required; **AND**

(III) BEGINNING JULY 1, 2023, AND EACH 3-YEAR PERIOD THEREAFTER, PROVIDE A SUBSIDY AT THE RATE DETERMINED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR THE 3-YEAR PERIOD BEGINNING JULY 1, 2023, AND EACH SUBSEQUENT 3-YEAR PERIOD, THE SUBSIDY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE INCREASED BY THE AMOUNT, ROUNDED TO THE NEAREST DOLLAR, THAT EQUALS THE PRODUCT OF:

1. THE SUBSIDY IN EFFECT FOR THE IMMEDIATELY PRECEDING 3-YEAR PERIOD; AND

2. THE AVERAGE PERCENTAGE GROWTH IN THE CONSUMER PRICE INDEX FOR THE IMMEDIATELY PRECEDING 3-YEAR PERIOD, AS DETERMINED BY THE SECRETARY UNDER SUBPARAGRAPH (II)1 OF THIS PARAGRAPH.

(II) BEGINNING MARCH 1, 2023, AND EACH MARCH 1 IN THE 3-YEAR PERIOD THEREAFTER, THE SECRETARY SHALL DETERMINE AND ANNOUNCE:

1 **1. THE AVERAGE PERCENTAGE GROWTH, IF ANY, IN THE**
2 **CONSUMER PRICE INDEX BASED ON THE IMMEDIATELY PRECEDING 3-YEAR PERIOD**
3 **FOR WHICH DATA ARE AVAILABLE ON MARCH 1; AND**

4 **2. THE SUBSIDY THAT WILL BE EFFECTIVE FOR THE**
5 **3-YEAR PERIOD BEGINNING THE FOLLOWING JULY 1.**

6 **(III) IF THE SECRETARY DETERMINES THAT THERE IS A DECLINE**
7 **OR NO GROWTH IN THE CONSUMER PRICE INDEX, THE SUBSIDY SHALL REMAIN THE**
8 **SAME AS THE RATE THAT WAS IN EFFECT FOR THE IMMEDIATELY PRECEDING**
9 **3-YEAR PERIOD.**

10 **[(2)] (3) [Subsidies] THE SUBSIDIES** under paragraph **[(1)(ii)] (1)** of this
11 subsection may include, when necessary and in accordance with available funds, monthly
12 subsidies for residents of assisted living programs whose adjusted gross annual income is
13 less than their cost of care for assisted living services.

14 **[(3)] (4)** When necessary and in accordance with available funds, the
15 Secretary shall provide subsidies for congregate meals, housekeeping, and personal
16 services for assisted living programs and develop eligibility requirements for these
17 subsidies.

18 **[(4)] (5)** The Secretary shall adopt regulations to govern eligibility
19 requirements for subsidies.

20 (d) The Secretary shall:

21 (1) find sponsors for assisted living programs; and

22 (2) assist developers in formulating design concepts and meeting program
23 needs.

24 (e) The Secretary shall review the compliance of assisted living programs with
25 the regulations that the Secretary of Health adopts for licensing these programs to operate
26 in the State.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2020.