

Bill No.: _____
Requested: _____
Committee: _____

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Article – Health – General
2 Section 19–1804.1(e)
3 Annotated Code of Maryland
4 (2019 Replacement Volume and 2020 Supplement)

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

7 **Article – Health – General**

8 19–1801.

9 In this subtitle:

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

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

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

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

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

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

23 (v) Services provided by family members;

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

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

4 19–1804.1.

5 (E) (1) IN THIS SUBSECTION, “COMMON OWNERSHIP COMMUNITY”
6 MEANS:

7 (I) A CONDOMINIUM ORGANIZED UNDER TITLE 11 OF THE
8 REAL PROPERTY ARTICLE;

9 (II) A HOMEOWNERS ASSOCIATION ORGANIZED UNDER TITLE
10 11B OF THE REAL PROPERTY ARTICLE; OR

11 (III) A COOPERATIVE HOUSING CORPORATION ORGANIZED
12 UNDER TITLE 5, SUBTITLE 6B OF THE CORPORATIONS AND ASSOCIATIONS
13 ARTICLE.

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

18 (3) (I) IF THE COUNTY HEALTH OFFICER FOR PRINCE GEORGE’S
19 COUNTY RECEIVES NOTICE PROVIDED UNDER PARAGRAPH (2) OF THIS
20 SUBSECTION, THE COUNTY HEALTH OFFICER SHALL DETERMINE WHETHER THE
21 ASSISTED LIVING PROGRAM IS TO BE OPERATED WITHIN A COMMON OWNERSHIP
22 COMMUNITY.

23 (II) IF THE COUNTY HEALTH OFFICER DETERMINES THAT THE
24 ASSISTED LIVING PROGRAM IS TO BE OPERATED WITHIN A COMMON OWNERSHIP
25 COMMUNITY IN THE COUNTY, THE COUNTY HEALTH OFFICER SHALL SEND NOTICE
26 OF THE APPLICATION TO:

27 1. THE COUNTY COUNCIL; AND

