

# HOUSE BILL 416

J3, J1

(PRE-FILED)

1lr1097  
CF SB 204

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By: **Delegate Belcastro**

Requested: October 23, 2020

Introduced and read first time: January 13, 2021

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Facilities – Assisted Living Programs – Memory Care and**  
3 **Alzheimer’s Disease Unit Regulations**

4 FOR the purpose of requiring that the Maryland Department of Health adopt certain  
5 regulations that establish specific standards governing memory care and  
6 Alzheimer’s disease units in assisted living programs, including certain training  
7 requirements, certain staffing pattern requirements, certain activity requirements,  
8 certain admissions and discharge criteria, and certain other procedures, and that  
9 require compliance by assisted living programs with the standards; defining certain  
10 terms; and generally relating to assisted living programs.

11 BY adding to

12 Article – Health – General

13 Section 19–1805(c)

14 Annotated Code of Maryland

15 (2019 Replacement Volume and 2020 Supplement)

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

18 **Article – Health – General**

19 19–1805.

20 **(C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**  
21 **MEANINGS INDICATED.**

22 **(II) “DIRECT CARE STAFF” MEANS AN EMPLOYEE, A**  
23 **VOLUNTEER, OR A CONTRACTUAL EMPLOYEE WHO PROVIDES TO RESIDENTS:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1                   1.     **MEDICATION ADMINISTRATION OR ASSISTANCE;**
- 2                   2.     **ASSISTANCE WITH AMBULATION AND TRANSFER;**
- 3                   3.     **ESSENTIAL ACTIVITIES OF DAILY LIVING; OR**
- 4                   4.     **ANY OTHER LIMITED NURSING SERVICES.**

5                   (III) **“LIMITED NURSING SERVICES” MEANS THE ASSESSMENT OF**  
6 **THE PHYSICAL, MENTAL, AND EMOTIONAL STATUS OF AN INDIVIDUAL TO**  
7 **DETERMINE THE APPROPRIATE LEVEL OF CARE FOR THE INDIVIDUAL, AND THE**  
8 **PROVISION OF NURSING CARE WITHIN THE DIRECT CARE STAFF’S SCOPE OF**  
9 **PRACTICE, WHICH CAN BE COMPLETED WITHIN 7 DAYS OR INTERMITTENTLY.**

10                  (2)     **THE DEPARTMENT SHALL ADOPT REGULATIONS THAT:**

11                   (1)     **ESTABLISH SPECIFIC STANDARDS GOVERNING MEMORY**  
12 **CARE AND ALZHEIMER’S DISEASE UNITS IN ASSISTED LIVING PROGRAMS,**  
13 **INCLUDING:**

14                   1.     **STAFF TRAINING REQUIREMENTS, INCLUDING THE**  
15 **NUMBER OF HOURS AND TOPIC CONTENT OF DEMENTIA–SPECIFIC TRAINING THAT**  
16 **IS REQUIRED TO BE COMPLETED ANNUALLY BY ADMINISTRATORS AND DIRECT CARE**  
17 **STAFF ASSIGNED TO A SPECIAL CARE UNIT;**

18                   2.     **STAFFING PATTERN REQUIREMENTS, INCLUDING A**  
19 **DIRECT CARE STAFF AND NURSING STAFF RATIO ADEQUATE TO MEET THE NEEDS OF**  
20 **RESIDENTS DURING WAKING AND NONWAKING HOURS;**

21                   3.     **APPROPRIATE FREQUENCY AND TYPE OF ACTIVITIES**  
22 **FOR RESIDENTS, INCLUDING:**

23                   A.     **THE NUMBER OF HOURS AND TRAINING**  
24 **REQUIREMENTS FOR THE INDIVIDUAL WHO OVERSEES THE ACTIVITIES; AND**

25                   B.     **ADJUSTING ACTIVITIES TO REDUCE SOCIAL**  
26 **ISOLATION OF RESIDENTS DURING A DISEASE OUTBREAK INVESTIGATION;**

27                   4.     **PROCEDURES THAT ARE BEYOND THOSE**  
28 **PROCEDURES HISTORICALLY PROVIDED FOR IN AN ASSISTED LIVING PROGRAM,**  
29 **INCLUDING FREQUENCY OF NIGHTTIME BED CHECKS TO PREVENT DANGEROUS**  
30 **EVENTS AMONG RESIDENTS; AND**

1                                   **5. ADMISSIONS AND DISCHARGE CRITERIA AND**  
2 **PROCEDURES, INCLUDING THE APPROPRIATENESS OF PLACEMENT AND CONTINUED**  
3 **RESIDENCE IN THE SPECIAL CARE UNIT; AND**

4                                   **(II) REQUIRE COMPLIANCE BY ASSISTED LIVING PROGRAMS**  
5 **WITH THE STANDARDS ESTABLISHED UNDER ITEM (I) OF THIS PARAGRAPH.**

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2021.