

HOUSE BILL 636

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CF SB 531

By: **Delegate Belcastro**

Introduced and read first time: January 31, 2022

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maryland Health Care Commission – Assisted Living Programs – Study**

3 FOR the purpose of requiring the Maryland Health Care Commission, in consultation with
4 the Office of Health Care Quality, the Maryland Long–Term Care Ombudsman
5 Program, the Medicaid Administration, the Governor’s Workforce Development
6 Board, and interested stakeholders, to conduct a study regarding the quality of care
7 provided by certain assisted living programs; and generally relating to a study of
8 assisted living programs.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 That:

11 (a) The Maryland Health Care Commission, in consultation with the Office of
12 Health Care Quality, the Maryland Long–Term Care Ombudsman Program, the Medicaid
13 Administration, the Governor’s Workforce Development Board, and interested
14 stakeholders, shall conduct a study regarding the quality of care provided by assisted living
15 programs with nine or fewer beds.

16 (b) In conducting the study required under subsection (a) of this section, the
17 Commission shall:

18 (1) analyze the inspection data from the Office of Health Care Quality to
19 determine, on a systemic level, where quality of care may be improved;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) examine the entry into and exit from the market for assisted living
2 programs, including any noticeable trends related to inspection data or regulatory
3 requirements;

4 (3) consider the feasibility of developing a reporting system for assisted
5 living programs that protects patient confidentiality and makes data related to catastrophic
6 health emergencies declared by the Governor and quality of care publicly available;

7 (4) review the current assisted living program licensure regulations to
8 determine whether these programs should be regulated differently than programs with ten
9 or more beds;

10 (5) determine whether:

11 (i) assisted living programs receive sufficient reimbursement to
12 cover the cost of care for the services provided, including for residents with Alzheimer's and
13 other dementia-related conditions, under initiatives offered through the Maryland
14 Medicaid Administration or other State or local initiatives; and

15 (ii) the Home- and Community-Based Options Waiver, or any other
16 waiver program that may be used for assisted living programs, can be revised to improve
17 the quality of care and increase provider participation; and

18 (6) review staffing resources that could be better utilized and made
19 available for these programs, including measures to encourage the recruitment and
20 retention of staff and meet standards for sufficient staffing.

21 (c) On or before October 1, 2023, the Maryland Health Care Commission shall
22 report its findings and recommendations, including any draft legislation, to the Governor,
23 the Maryland Department of Health, and, in accordance with § 2-1257 of the State
24 Government Article, the Senate Finance Committee and the House Health and
25 Government Operations Committee.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.