

ELDERLY CITIZENS. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT DAY-CARE CENTERS AND SERVICES FOR THE ELDERLY SHALL BE UTILIZED TO THE GREATEST EXTENT POSSIBLE AS AN ALTERNATIVE TO THE UNNECESSARY COMMITMENT OF ELDERLY PERSONS TO NURSING HOMES OR OTHER STATE INSTITUTIONS AND TO PROVIDE OPPORTUNITIES FOR ELDERLY PERSONS IN NURSING HOMES OR OTHER STATE INSTITUTIONS TO BE DISCHARGED FROM SUCH INSTITUTIONS, AND SHALL SERVE ONLY THOSE ELDERLY PERSONS WHO OTHERWISE WOULD BE ELIGIBLE FOR CARE IN NURSING HOMES OR OTHER STATE INSTITUTIONS UNDER PRESENT APPLICABLE STATE AND FEDERAL LAW.

717B.

AS USED IN THIS SUBTITLE:

(1) "DAY-CARE CENTER FOR THE ELDERLY" MEANS A PLACE OPERATED FOR THE PURPOSE OF PROVIDING CARE FOR THE ELDERLY, WITH OR WITHOUT CHARGING A FEE, AND INCLUDES A PLACE DESIGNATED FOR GROUP CARE FOR FOUR OR MORE PERSONS AT LEAST 60 YEARS OF AGE OR A FAMILY HOME PROVIDING CARE FOR TWO OR THREE PERSONS AT LEAST 60 YEARS OF AGE.

(2) "ELDERLY" MEANS A PERSON 60 YEARS OF AGE OR OLDER WHO LIVES WITH HIS OR HER SPOUSE, HIS OR HER CHILD, A FAMILY RELATIVE, OR FRIEND, BUT WHO REQUIRES TEMPORARY SUPERVISION AND CARE DURING THE ABSENCE OF SUCH SPOUSE, CHILD, FAMILY RELATIVE OR FRIEND FROM THE HOME OR PLACE OF RESIDENCE OF THE PERSON.

717C.

(A) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE HAS THE PRIMARY RESPONSIBILITY, BUT, IN CONJUNCTION WITH THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES, AND WITH THE ADVICE OF THE MARYLAND COMMISSION ON AGING, TO PROVIDE THE GUIDANCE AND MEANS FOR THE ESTABLISHMENT OF DAY-CARE CENTERS FOR THE ELDERLY ACCORDING TO THE PROVISIONS OF THIS SUBTITLE.

(B) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL RECRUIT, LICENSE AND ENCOURAGE THE ESTABLISHMENT OF DAY-CARE CENTERS FOR THE ELDERLY AND SHALL DEVELOP AND ENFORCE RULES, REGULATIONS AND MINIMUM STANDARDS NECESSARY FOR THE BEST INTERESTS AND SAFETY OF PERSONS RECEIVING CARE IN THESE DAY-CARE CENTERS. THESE RULES, REGULATIONS AND STANDARDS SHALL HAVE THE FORCE OF LAW.

(C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES SHALL NEGOTIATE THE PURCHASE OF DAY-CARE SERVICES FOR THE ELDERLY FROM PUBLIC OR PRIVATE AGENCIES. THESE SERVICES MUST BE NECESSARY AND ESSENTIAL TO MAXIMIZE THE FUNCTIONING AND WELL-BEING OF THE ELDERLY, AND SHALL INCLUDE, BUT NOT BE LIMITED TO, (1) THERAPEUTIC ARTS AND CRAFTS; (2) COMMUNITY EXCURSIONS; (3) HOBBY CULTIVATION; (4) MEDICAL SERVICES; (5) COUNSELING SERVICES