

jurisdiction of this subtitle and maintains conditions or facilities and equipment for "domiciliary," "personal" or "nursing" services for nonrelated individuals [who are not gainfully employed and] who are dependent on the administrator, operator or proprietor for nursing care or the subsistence of daily living in a safe, sanitary and healthful environment.

(2) "Related institutions" does not include [any sheltered housing for elderly as defined in § 1 of Article 70B]:

(I) ANY SHELTERED HOUSING FOR ELDERLY AS DEFINED IN SECTION 1 OF ARTICLE 70B AND AS CERTIFIED BY THE OFFICE ON AGING, EXCEPT FOR BUILDINGS HOUSING ~~NINE~~ 12 OR MORE INDIVIDUALS IN OTHER THAN APARTMENT UNITS AND FOR APARTMENT UNITS HOUSING ~~NINE~~ 12 OR MORE INDIVIDUALS; ~~AND~~

(II) DWELLINGS WHICH HAVE BEEN CERTIFIED AS ADULT RESIDENTIAL ENVIRONMENTAL HOMES BY THE DEPARTMENT OF HUMAN RESOURCES; AND

(III) NURSING FACILITIES OR VISITING NURSE SERVICES CONDUCTED SOLELY BY OR FOR THE ADHERENTS OF ANY RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION, THE TENETS AND PRACTICES OF WHICH INCLUDE RELIANCE UPON TREATMENT BY SPIRITUAL MEANS ALONE FOR HEALING.

(3) Home health care services as used in this subtitle refers to services provided by a health related institution (or part thereof), owned or operated by one or more persons or legal entities, whether for profit or nonprofit, as a public or private enterprise, which operates or is licensed as a home health agency. Home health agencies shall include only those which provide appropriate home health services, under the direction and guidance of a licensed physician, to patients who are deemed to require initial or continued hospitalization, or who, in lieu of hospitalization, may be cared for at home at a prescribed level of care.

(e) Related institutions shall be classified as nursing homes or care homes as follows:

(1) Nursing homes shall meet the definition in subsection (d) above and shall provide nursing care for chronically ill or convalescent patients. Nursing homes shall include (but are not limited to) convalescent homes, nursing units of homes for the aged, psychiatric nursing homes, nursing facilities for the handicapped, homes for alcoholics, halfway houses, or any other home-type facility which admits patients and holds itself out as providing twenty-four (24) hours per day nursing care for such patients.

(2) [Care homes shall meet the definition in subsection (d) above and shall either (i) provide