

- (i) Eligibility for State funding of local mental health programs under Part I of this subtitle;
- (ii) Qualifications of staff and quality of professional services of eligible programs;
- (iii) Eligibility for receiving services under eligible programs; and
- (iv) Accreditation of a facility as defined in § 10-101(e) of this title.

(2) The Secretary may consider accreditation by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) or the Commission on Accreditation of Rehabilitation Facilities (CARF), whichever is appropriate, as meeting the rules and regulations adopted under this subtitle.

(3) The rules and regulations shall ensure:

- (i) That an individual is not discriminated against based on an inability to pay for services; and
- (ii) That an individual is not discriminated against or denied community-based mental health services based on the individual's lack of a fixed address or because the individual is homeless.

(4) THE RULES AND REGULATIONS SHALL REQUIRE THAT, PRIOR TO APPROVAL FOR RECEIPT OF STATE FUNDING UNDER PART I OF THIS SUBTITLE, A NONPROFIT ORGANIZATION OR PRIVATE COMMUNITY-BASED ORGANIZATION SHALL SUBMIT THE FOLLOWING TO THE DEPARTMENT:

(I) A WRITTEN LIST OF THE NAMES OF THE MEMBERS OF THE BOARD OF DIRECTORS AND CORPORATE OFFICERS OF THE ORGANIZATION;

(II) A BUSINESS PLAN THAT CLEARLY DEMONSTRATES THE ABILITY OF THE ORGANIZATION TO PROVIDE SERVICES IN ACCORDANCE WITH MARYLAND REGULATIONS AND FUNDING REQUIREMENTS;

(III) A SUMMARY OF THE ORGANIZATION'S DEMONSTRATED EXPERIENCE IN THE FIELD OF MENTAL HEALTH, IN ACCORDANCE WITH STANDARDS DEVELOPED BY THE DEPARTMENT;

(IV) PRIOR LICENSING REPORTS ISSUED WITHIN THE PREVIOUS 10 YEARS FROM ANY IN-STATE OR OUT-OF-STATE ENTITIES ASSOCIATED WITH THE ORGANIZATION, INCLUDING DEFICIENCY REPORTS AND COMPLIANCE RECORDS ON WHICH THE STATE MAY MAKE REASONED DECISIONS ABOUT THE QUALIFICATIONS OF THE ORGANIZATION; AND

(V) A WRITTEN QUALITY ASSURANCE PLAN, APPROVED BY THE MENTAL HYGIENE ADMINISTRATION, TO ADDRESS HOW THE ORGANIZATION WILL ENSURE THE HEALTH AND SAFETY OF THE INDIVIDUALS SERVED BY THE ORGANIZATION AND THE QUALITY OF SERVICES PROVIDED TO INDIVIDUALS BY THE ORGANIZATION.