

RESOURCES, IN ACCORDANCE WITH AN INTERAGENCY AGREEMENT, FOR THE PURPOSE OF ENSURING COMPLIANCE WITH THE REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SUBTITLE.

19-1805.

(A) THE DEPARTMENT SHALL:

(1) DEFINE DIFFERENT LEVELS OF ASSISTED LIVING ACCORDING TO THE LEVEL OF CARE PROVIDED;

(2) REQUIRE ALL ASSISTED LIVING PROGRAMS TO BE LICENSED TO OPERATE ACCORDING TO THE LEVEL OF THE PROGRAM;

(3) DEVELOP A WAIVER PROCESS FOR AUTHORIZING AN ASSISTED LIVING PROGRAM TO CONTINUE TO CARE FOR AN INDIVIDUAL WHOSE MEDICAL OR FUNCTIONAL CONDITION HAS CHANGED SINCE ADMISSION TO THE PROGRAM TO AN EXTENT THAT THE LEVEL OF CARE REQUIRED BY THE INDIVIDUAL EXCEEDS THE LEVEL OF CARE FOR WHICH THE PROGRAM IS LICENSED.

(4) (4) PROMOTE AFFORDABLE AND ACCESSIBLE ASSISTED LIVING PROGRAMS THROUGHOUT THE STATE;

(5) (5) ESTABLISH AND ENFORCE QUALITY STANDARDS FOR ASSISTED LIVING PROGRAMS;

(6) (6) REQUIRE PERIODIC INSPECTIONS OF ASSISTED LIVING PROGRAM FACILITIES;

(7) (7) ESTABLISH REQUIREMENTS FOR THE QUALIFICATIONS OR TRAINING OR BOTH OF ASSISTED LIVING PROGRAM EMPLOYEES;

(8) (8) ESTABLISH A "RESIDENT BILL OF RIGHTS" FOR RESIDENTS OF ASSISTED LIVING PROGRAM FACILITIES; AND

(9) (9) DEFINE WHICH, IF ANY, ASSISTED LIVING PROGRAMS MAY BE EXEMPT FROM THE REQUIREMENTS OF § 19-311 OF THIS TITLE.

(B) (1) THE DEPARTMENT, IN CONSULTATION WITH REPRESENTATIVES OF THE AFFECTED INDUSTRY AND ADVOCATES FOR RESIDENTS OF THE FACILITIES AND WITH THE APPROVAL OF THE OFFICE ON AGING AND THE DEPARTMENT OF HUMAN RESOURCES, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE WITH THE APPROVAL OF THE OFFICE ON AGING AND THE DEPARTMENT OF HUMAN RESOURCES.

(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) PROVIDE FOR THE LICENSING OF ASSISTED LIVING PROGRAMS AND THE RENEWAL OF LICENSES;

(II) REQUIRE THE SECRETARY TO CHARGE FEES IN A MANNER THAT WILL PRODUCE FUNDS NOT TO EXCEED THE ACTUAL DIRECT AND INDIRECT