

Article - Health - General

19-346.

(b) (1) This section provides rights and remedies in addition to, and not in derogation of, any right or remedy that a resident of a facility has under any other law.

(2) SUBSECTIONS (D)(2) AND (3), (E), (F), (G), (H), (I), AND (K) OF THIS SECTION DO NOT APPLY TO ASSISTED LIVING PROGRAMS UNDER SUBTITLE 18 OF THIS TITLE IF REGULATIONS HAVE BEEN ADOPTED FOR THE MANAGEMENT OF RESIDENT PROPERTY ENTRUSTED TO THE ASSISTED LIVING PROGRAM PURSUANT TO § 19-1805(B)(2)(IV) OF THIS TITLE.

19-1805.

(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.

(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 costs to the Department for inspecting assisted living program facilities and maintaining the licensure program for assisted living programs under this subtitle; [and]

(iii) Require the Department, during a survey or other inspection of an assisted living program, to review the number of waivers granted to the program under subsection (a)(3) of this section and determine whether a change in the program's licensure status is warranted; AND

(IV) INCLUDE REQUIREMENTS FOR THE MANAGEMENT OF RESIDENT PROPERTY ENTRUSTED TO THE ASSISTED LIVING PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That, in accordance with § 2-1246 of the State Government Article, the Department of Health and Mental Hygiene shall report to the House Environmental Matters Committee and the Senate ~~Economic and Environmental Affairs Committee~~ Finance Committee, on or before January 1, 1999, on any regulations adopted or proposed by the Department for the management of property of residents of assisted living facilities.

SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998. It shall remain in effect for a period of 2 years and, at the end of September 30, 2000, with no further action required by the General Assembly, this Act shall be abrogated and of no further force or effect.

Approved May 21, 1998.