



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene
Office of Health Care Quality
Bland Bryant Building • Spring Grove Center
55 Wade Avenue • Catonsville, Maryland 21228

TO: Assisted Living Program Providers

FROM: Carol Benner, Director, Licensing and Certification Administration

SUBJECT: ASSISTED LIVING PROGRAM APPLICATION DEADLINE

DATE: March 30, 1999

May 31, 1999, has been set as the deadline for all applications for licensure as Assisted Living Programs to be postmarked or received in the Licensing and Certification Administration ("LCA"). This action is being taken to allow LCA to schedule on-site inspections, which along with the completed application, are required for the Department to issue licenses to operate as Assisted Living Programs.

On November 20, 1998, you were mailed a packet of documents which included the Assisted Living Regulations, COMAR 10.07.14, the Assisted Living Licensure Application and the related documents necessary as attachments to the application. You were informed that effective January 1, 1999, you were required to be in compliance with the new regulations, which on December 31, 1998 repealed the regulations and programs previously certified by the Department of Human Resources, the Maryland Department of Aging and the residential care homes for adults previously licensed or registered by the Department as domiciliary care homes.

Since November, 1998, 4,800 applications have been mailed or distributed by LCA. More than 1,032 providers have attended cost-free training sessions sponsored by the Department and eighty-five providers have attended one or both of the two "walk-in assistance days" conducted by LCA staff to answer questions related to the application, regulations and survey process. Although the "regional training sessions" have concluded, the "walk-in assistance days" will continue to be held on the last Friday of each month, at LCA, until December, 1999.

As of March 15, 1999, LCA has received 336 completed applications, which accounts for less than 9% of the applications distributed by this office. We feel that ample opportunity has been given to familiarize assisted living providers with the regulatory requirements of the Assisted Living Regulations, COMAR 10.07.14. Technical assistance to providers has been made available by LCA staff. It is now time for us to move this process to the level where compliance with the regulations can be determined by way of on-site inspections and Assisted Living Program licenses issued if the programs are found to be in substantial compliance.

If you have any questions, you may call (410) 764-3755.

CB:eaw

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Web Site: www.dhmh.state.md.us

**IMPORTANT MESSAGE TO ASSISTED LIVING PROGRAMS WITH 15 OR
FEWER RESIDENTS**

SUBJECT: HOUSE BILL 296

It has come to the attention of staff from the Department of Health and Mental Hygiene ("DHMH") that erroneous information regarding House Bill 296 (HB 296) is being given to assistant living managers of programs that now or will accommodate 1 to 15 residents.

Numerous calls have been received at DHMH from providers who are informing staff that they are being told that HB 296 was passed in the Maryland Legislature during the week of March 22, 1999, and the passing of the bill means that the Assisted Living Program Regulations, COMAR 10.07.14, and the requirement for assisted living programs with 1 to 15 residents to be licensed, has been placed on "hold" until July 1, 2000.

That information is a misstatement of the facts and the intent of HB 296. The purpose of the bill is to extend the deadline before which DHMH may impose enforcement sanctions against assisted living providers with 15 or fewer residents until July 1, 2000 unless there is physical or emotional harm to a resident or a resident is placed at risk of physical or emotional harm. DHMH supports the passage of HB 296 because it gives small homes another year to comply with the new regulations before sanctions are imposed as long as residents are not exposed to physical or emotional harm. HB 296 has not yet passed the General Assembly and, if passed and signed into law by the Governor, the legislation does not exempt assisted living programs with 15 or fewer residents from compliance with the regulations.

The Assisted Living Program Regulations, COMAR 10.07.14, were adopted as of January 1, 1999, and the implementation plan is well underway to ensure that all assisted living programs are either in compliance or diligently working towards achieving substantial compliance with the regulations. To accomplish that end, May 31, 1999, has been set as the deadline when your Assisted Living Licensure Application is to be postmarked or received at DHMH.

For information regarding the status of HB 296 you may contact the Office of Governmental Affairs at (410) 974-2100, in Annapolis, and (410) 767-6480, in Baltimore. You may call DHMH at (410) 764-3755 if you have any questions regarding COMAR 10.07.14 and implementation of the regulations.