SENATE BILL 965

J3 0lr3628
CF HB 584

By: **Senator Hettleman**
Introduced and read first time: February 3, 2020
Assigned to: Finance

A BILL ENTITLED

AN ACT concerning

Day Care Centers for the Elderly and Day Care Centers for Adults – Reimbursement

FOR the purpose of requiring the Maryland Department of Health to reimburse certain day care centers for a day of care under certain circumstances; and generally relating to day care centers for the elderly and day care centers for adults.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 14–205 and 14–304
Annotated Code of Maryland
(2019 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

14–205.

(a) The Maryland Department of Health may use funds appropriated for the day care for the elderly to:

(1) Assist in start–up costs of establishing a day care center for the elderly; and

(2) Subsidize day care services for financially eligible elderly individuals.

(b) The services that are provided by the day care center for the elderly under this section shall include:

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(1) Therapeutic arts and crafts;

(2) Community excursions, if appropriate;

(3) Hobby cultivation;

(4) Health services;

(5) Counseling services for elderly individuals and their families;

(6) Group dynamics; and

(7) Other services that enhance social functioning and develop activities in daily living and personal independence.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE MARYLAND DEPARTMENT OF HEALTH SHALL REIMBURSE A DAY CARE CENTER FOR THE ELDERLY FOR A DAY OF CARE FOR CARE THAT IS PROVIDED TO A PARTICIPANT CERTIFIED PRESENT AT THE CENTER FOR A MINIMUM OF 4 HOURS IN A DAY.

(2) IF THE DAY CARE CENTER FOR THE ELDERLY IS UNABLE TO PROVIDE CARE TO A PARTICIPANT FOR THE MINIMUM 4 HOURS IN A DAY DUE TO A WEATHER–RELATED CLOSURE OF THE CENTER OR A MEDICAL EMERGENCY EXPERIENCED BY THE PARTICIPANT WHILE AT THE CENTER, THE DEPARTMENT SHALL REIMBURSE THE CENTER FOR A DAY OF CARE.

14–304.

(a) The Department of Human Services shall cooperate with and assist the Maryland Department of Health in carrying out the purposes of this subtitle.

(b) The Maryland Department of Health shall:

(1) Provide the guidance and means for establishing day care centers for adults in accordance with this subtitle;

(2) Recruit and encourage the establishment of day care centers for adults;

(3) Provide for licensing of day care centers for adults; and

(4) Adopt and enforce rules and regulations that set the standards necessary for the welfare and safety of medically handicapped adults who receive care in these day care centers for adults.

(c) (1) The Maryland Department of Health shall buy from any public or private agency the day care services for medically handicapped adults that are necessary

and essential to enhance their well–being.

(2) These services shall include:

(i) Therapeutic arts and crafts;

(ii) Community excursions, if appropriate;

(iii) Hobby cultivation;

(iv) Health services;

(v) Counseling services for medically handicapped adults and their families;

(vi) Group dynamics; and

(vii) Other services that enhance social functioning and develop activities in daily living and personal independence.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MARYLAND DEPARTMENT OF HEALTH SHALL REIMBURSE A DAY CARE CENTER FOR ADULTS FOR A DAY OF CARE FOR CARE THAT IS PROVIDED TO A PARTICIPANT CERTIFIED PRESENT AT THE CENTER FOR A MINIMUM OF 4 HOURS IN A DAY.

(II) IF THE DAY CARE CENTER FOR ADULTS IS UNABLE TO PROVIDE CARE TO A PARTICIPANT FOR THE MINIMUM 4 HOURS IN A DAY DUE TO A WEATHER–RELATED CLOSURE OF THE CENTER OR A MEDICAL EMERGENCY EXPERIENCED BY THE PARTICIPANT WHILE AT THE CENTER, THE DEPARTMENT SHALL REIMBURSE THE CENTER FOR A DAY OF CARE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.