

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

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**Meeting Date:** 5/21/2002 **Reference No.:** CB-20-2002

**Proposer:** County Executive **Draft No.:** 1

**Sponsors:** Scott, Wilson

**Item Title:** An Act repealing certain provisions of the Code pertaining to Congregate Living Facilities for the Elderly or Physically Handicapped

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**Drafter:** Colette R. Gresham  
Office of Law

**Resource** Arthur Thacher  
**Personnel:** Health Officer

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**LEGISLATIVE HISTORY:**

**Date Presented:** 3/26/2002 **Executive Action:** 6/6/2002 S

**Committee Referral:** 3/26/2002 HEHS **Effective Date:** 7/22/2002

**Committee Action:** 4/23/2002 FAV

**Date Introduced:** 4/30/2002

**Public Hearing:** 5/21/2002 10:15 A.M.

**Council Action:** 5/21/2002 ENACTED

**Council Votes:** PS:A, DB:-, TD:A, JE:A, TH:A, RVR:A, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE** DATE: 4/23/02

Committee Vote: Favorable, 3-0 (In favor: Council Members Hendershot, Estep and Scott)

Staff summarized the legislation and presented referral comments that were received. CB-20-2002 pertains to the licensing and regulation of assisted living facilities in Prince George's County. This legislation deletes the Prince George's County Code, Division 7. Congregate Living Facilities for the Elderly or Physically Handicapped. 12-168 through 12-176. Congregate Living Facilities are now licensed as Assisted Living Facilities. New Assisted Living Regulations addressed in COMAR provide the standards for regulation and licensure of these facilities and authorize the Maryland Department of Health and Mental Hygiene to administer the function. The current county laws with regard to licensing and regulation Congregate Living Facilities have become obsolete.

The Legislative Officer and the Office of Law finds CB-20-2002 to be in proper legislative form. The Office of Audits and Investigations determined that there should not be any negative fiscal impact on the County as a result of enacting CB-20-2002.

**BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

This legislation repeals sections of the County Code, which have been preempted by the State's Assisted Living laws and regulations. Congregate Living Facilities are now defined as Assisted Living Programs under State law. Assisted Living Programs are residential or facility based programs that provide supportive services and/or assistance to those residents who need help with daily living activities. CB-78-1999 adopted by reference the Maryland State Department of Health and Mental Hygiene's regulations governing Assisted Living Programs as the County's regulations governing Assisted Living Programs. The regulations pertaining to Congregate Living Facilities adopted by CB-38-1985 will be repealed.

**CODE INDEX TOPICS:**