

Bill No. 40-11  
Concerning: Group Homes -  
Developmentally Disabled Adults  
Revised: December 1, 2011 Draft No. 2  
Introduced: December 6, 2011  
Enacted: March 6, 2012  
Executive: March 16, 2012  
Effective: June 15, 2012  
Sunset Date: None  
Ch. 2, Laws of Mont. Co. 2012

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive and Councilmember Ervin

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**AN ACT** to:

- (1) revise the licensing requirements for certain group homes for developmentally disabled adults; and
- (3) generally amend the law regarding regulation of group residential facilities.

By amending

Montgomery County Code  
Chapter 23A, Group Homes  
Section 23A-3

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 23A-3 is amended as follows:**


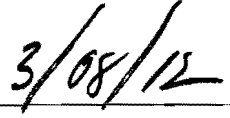
2   **23A-3.       Applicability of chapter.**

3           This Chapter does not apply to a:


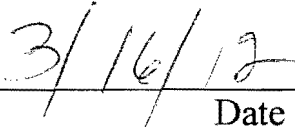
- 4           (a)   facility which holds a valid license for institutional care, such as a  
5                nursing home, hospital, child or adult day care facility, or domiciliary  
6                care home for 5 or more residents;
- 7           (b)   foster or respite care home for children which is approved by the  
8                County Department of Health and Human Services, the State  
9                Department of Juvenile Services, or any licensed child placement  
10              agency, in accordance with standards set by the appropriate State  
11              agencies;
- 12          (c)   foster care or respite care home for adults for 3 or fewer elderly  
13              persons or persons with disabilities, which is approved by the  
14              Department of Health and Human Services;
- 15          (d)   licensed residential or institutional facility whose total number of  
16              residents at any one time will exceed 16 or the number of persons  
17              allowed under a license for the facility issued by a state agency,  
18              whichever is less;
- 19          (e)   group home which does not routinely provide more than 50 hours of  
20              on-site supervision a week, but a home exempted under this  
21              subsection may apply for a license and be licensed if it meets the  
22              requirements of this Chapter; [or]
- 23          (f)   group home for developmentally disabled adults which is licensed by  
24              the state Department of Health and Mental Hygiene; or
- 25          (g)   group of persons, not related by blood or marriage, living together in a  
26              dwelling unit as a family as defined in Chapter 59. Supportive care

27 services and treatment for individual residents or the group may be  
28 provided by a person or agency that does not assume responsibility for  
29 acquiring those services or treatments or for supervising, directing, or  
30 controlling the residents.

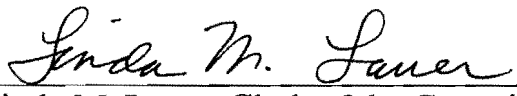
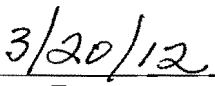
31 *Approved:*

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33 \_\_\_\_\_  
34 Roger Berliner, President, County Council Date

35 *Approved:*

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38 Isiah Leggett, County Executive Date

39 *This is a correct copy of Council action.*

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42 Linda M. Lauer, Clerk of the Council Date