§7851. Assisted housing programs

Assisted housing programs are authorized under this chapter in the following settings and subject to the following standards and licensure requirements. [PL 2001, c. 596, Pt. A, §1 (NEW); PL 2001, c. 596, Pt. B, §25 (AFF).]

1. Standards. Assisted housing programs further the independence of the resident and respect the privacy and personal choices of the resident, including the choice to continue to reside at home for so long as the assisted housing program, as it is fundamentally designed, is able to meet the needs of the resident. Assisted housing programs provided to residents must be consumer oriented and meet professional standards of quality. [PL 2001, c. 596, Pt. A, §1 (NEW); PL 2001, c. 596, Pt. B, §25 (AFF).]

2. Settings. Assisted housing programs may be provided in the following settings:
   A. Independent housing with services programs, as defined in section 7852, subsection 6; [PL 2001, c. 596, Pt. A, §1 (NEW); PL 2001, c. 596, Pt. B, §25 (AFF).]
   B. Assisted living programs, as defined in section 7852, subsection 4; or [PL 2001, c. 596, Pt. A, §1 (NEW); PL 2001, c. 596, Pt. B, §25 (AFF).]

3. Licensure requirements. Independent housing with services programs are not subject to licensure. Licensure of assisted living programs is governed by section 7801, subsection 1. Licensure of residential care facilities is governed by section 7801, subsections 1 and 3. [PL 2001, c. 596, Pt. A, §1 (NEW); PL 2001, c. 596, Pt. B, §25 (AFF).]

4. Prohibited employment based on disqualifying offenses. A licensed assisted housing program shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2015, c. 494, Pt. A, §25 (RPR).]

SECTION HISTORY


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03.04.2020