

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Ward

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Checked by _____

By: **Prince George’s County Delegation and Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Maryland–National Capital Park and Planning**
3 **Commission Home Health Practitioners’ Offices – Inspections – Limitations**

4 **PG/MC 107–08**

5 FOR the purpose of restricting the number of special exception inspections of a home
6 health practitioner’s office in Montgomery County each year, with certain
7 exceptions; limiting the fees for certain special exception inspections; defining
8 certain terms; and generally relating to limitations on special exception
9 inspections of home health practitioners’ offices in Montgomery County.

10 BY adding to

11 Article 28 – Maryland–National Capital Park and Planning Commission
12 Section 8–128
13 Annotated Code of Maryland
14 (2003 Replacement Volume and 2007 Supplement)

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

17 **Article 28 – Maryland–National Capital Park and Planning Commission**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



18 **8-128.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
20 MEANINGS INDICATED.

21 (2) "HOME HEALTH PRACTITIONER'S OFFICE" MEANS THE
22 OFFICE OF A LICENSED PHYSICIAN OR DENTIST THAT IS LOCATED IN THE
23 DWELLING WHERE THE PHYSICIAN OR DENTIST RESIDES.

24 (3) "SPECIAL EXCEPTION INSPECTION" MEANS AN INSPECTION
25 TO ASSESS COMPLIANCE WITH THE TERMS AND CONDITIONS OF A SPECIAL
26 EXCEPTION GRANTED UNDER THE MONTGOMERY COUNTY ZONING
27 ORDINANCE.

28 (B) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.

29 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
30 SUBSECTION AND NOTWITHSTANDING ANY OTHER LAW, A HOME HEALTH
31 PRACTITIONER'S OFFICE MAY NOT BE SUBJECTED TO MORE THAN ONE SPECIAL
32 EXCEPTION INSPECTION IN A SINGLE YEAR.

33 (2) A HOME HEALTH PRACTITIONER'S OFFICE MAY BE SUBJECT
34 TO MORE THAN ONE SPECIAL EXCEPTION INSPECTION IN A SINGLE YEAR TO:

35 (I) RESPOND TO A COMPLAINT ALLEGING A VIOLATION OF
36 THE SPECIAL EXCEPTION; OR

37 (II) DETERMINE WHETHER A KNOWN VIOLATION OF THE
38 SPECIAL EXCEPTION HAS BEEN CORRECTED.

39 (D) NOTWITHSTANDING ANY OTHER LAW, THE TOTAL FEES THAT MAY
40 BE ASSESSED FOR CONDUCTING SPECIAL EXCEPTION INSPECTIONS OF A HOME
41 HEALTH PRACTITIONER'S OFFICE UNDER THE MONTGOMERY COUNTY ZONING
42 ORDINANCE MAY NOT EXCEED \$100 IN A SINGLE YEAR.

43 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
44 October 1, 2008.