

Subtitle 33 BOARD OF LONG-TERM CARE ADMINISTRATORS

Notice of Final Action

[25-201-F]

On December 17, 2025, the Secretary of Health adopted:

(1) The repeal in its entirety of **COMAR 10.33 Board of Nursing Home Administrators**;

(2) New Regulations .01—.04 under a new chapter, **COMAR 10.33.01 General Regulations**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**;

(3) New Regulations .01—.14 under a new chapter, **COMAR 10.33.02 Licensing of Nursing Home Administrators**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**;

(4) New Regulations .01—.10 under a new chapter, **COMAR 10.33.03 Licensing of Assisted Living Managers**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**;

(5) New Regulations .01—.02 under a new chapter, **COMAR 10.33.04 Continuing Education Requirements**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**;

(6) New Regulations .01—.02 under a new chapter, **COMAR 10.33.05 Fees**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**;

(7) New Regulations .01—.02 under a new chapter, **COMAR 10.33.06 Code of Ethics**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**;

(8) New Regulations .01—.13 under a new chapter, **COMAR 10.33.07 Sanctions and Disciplinary Proceedings**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**; and

(9) New Regulations .01—.02 under a new chapter, **COMAR 10.33.08 Compelling Purpose Disclosure**, under a new subtitle, **Subtitle 33 Board of Long-Term Care Administrators**.

This action, which was proposed for adoption in 52:21 Md. R. 1053—1074 (October 17, 2025), has been adopted with the nonsubstantive changes shown below.

Effective Date: January 19, 2026.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

COMAR 10.33.01.02B(19) and (20): These amendments correct a grammatical error.

COMAR 10.33.03.07C(2)(c): This amendment corrects the assisted living manager training course being approved by the Department and not the Board.

COMAR 10.33.07 (Authority): This amendment adds a statutory authority erroneously omitted.

COMAR 10.33.07.02B(4)(b) and (b)(ii): These amendments clarify the definition of a complaint.

COMAR 10.33.07.02B(5): This amendment clarifies the definition of a preliminary investigation.

COMAR 10.33.07.03A(2)(b): This amendment removes any ambiguity pertaining to complaint investigations of applicants.

COMAR 10.33.07.03D(3): This amendment updates Board procedures for the complaint process.

COMAR 10.33.07.03D(6): This amendment clarifies who qualifies as a witness.

COMAR 10.33.07.06A: This amendment removes the redundancy of an authority in Regulation .06A already provided under the chapter authority.

10.33.01 General Regulations

Authority: Health-General Article, §2-104; Health Occupations Article, §§9-101—9-501; Annotated Code of Maryland

.02 Definitions.

A. (proposed text unchanged)

B. *Terms Defined.*

(1)—(18) (proposed text unchanged)

(19) “*Practice of assisted living management*” means the exercise of final authority of any act or in the making of any decision involved in the planning, organizing, directing, or controlling of the day-to-day operation of an assisted living program.

(20) “*Practice of nursing home administration*” means the exercise of final authority of any act or in the making of any decision involved in the planning, organizing, directing, or controlling of the day-to-day operation of a nursing home.

(21)—(22) (proposed text unchanged)

10.33.03 Licensing of Assisted Living Managers

Authority: Health-General Article, §19-1809; Health Occupations Article, §§9-205, 9-3A-01—9-3A-18, and 9-401—9-501; Annotated Code of Maryland

.07 Inactive Status and Reactivation.

A.—B. (proposed text unchanged)

C. Reactivation.

(1) (proposed text unchanged)

(2) Before the Board may reactivate the license of an individual who has been on inactive status for 5 years or more, the individual shall:

(a)—(b) (proposed text unchanged)

(c) Complete a [[Board-approved]] Department-approved assisted living manager training course; and

(d) (proposed text unchanged)

(3) (proposed text unchanged)

10.33.07 Sanctions and Disciplinary Proceedings

Authority: Health-General Article, §§2-104 and 19-1809; Health Occupations Article, §§1-212, 1-602—1-609, 9-205, 9-313—9-316.1, 9-34-11—9-34-17, and 9-401—9-407; State Government Article, §§10-201—10-226; Annotated Code of Maryland

.02 Definitions.

A. (proposed text unchanged)

B. Terms Defined.

(1)—(3) (proposed text unchanged)

(4) Complaint.

(a) (proposed text unchanged)

(b) “Complaint” [[includes]] may include, but is not limited to, the following:

(i) (proposed text unchanged)

(ii) Reports or allegations from a government entity concerning a nursing home or assisted living program at which the licensee, applicant, or individual is or was employed;

(iii)—(vi) (proposed text unchanged)

(5) “Preliminary investigation” means a review of the allegations in a complaint by the Board and the response from a respondent, if sought and provided, that determines whether there is a sufficient basis for a formal Board investigation.

(6) (proposed text unchanged)

.03 Complaints, Investigations, and Disposition of Complaint.

A. Complaint.

(1) (proposed text unchanged)

(2) The Board shall investigate and take appropriate action as to any complaint filed with the Board that alleges or indicates that:

(a) (proposed text unchanged)

(b) A licensee or an applicant has violated disciplinary grounds of the Board; or

(c) (proposed text unchanged)

B.—C. (proposed text unchanged)

D. Investigation of Complaint.

(1)—(2) (proposed text unchanged)

(3) Prior to or after a decision on whether to open a formal investigation of a complaint, the Board may send a summary or a copy of the complaint, either in its entirety or redacted, to the licensee, applicant, or individual who is the subject of the complaint to obtain a response to the allegations made in the complaint.

(4)—(5) (proposed text unchanged)

(6) As part of its investigation, the Board may issue investigative subpoenas requiring [[the]] attendance and testimony [[of] witnesses, who may have information about the complaint,] or the production of records[[,]] or [[other]] tangible objects. The subpoena shall be:

(a)—(b) (proposed text unchanged)

E.—H. (proposed text unchanged)

.06 Grounds for Sanctioning and Sanctions.

A. [[Pursuant to Health Occupations Article, §§9-314(b)(3) or 9-3A-12(b)(3), Annotated Code of Maryland, the]] The Board may deny a license to any applicant, suspend or revoke the license of a licensee, place on probation, reprimand, or fine a licensee after proper notice and a hearing, if the applicant or licensee:

(1)—(18) (proposed text unchanged)

B.—E. (proposed text unchanged)

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Secretary of Health