



Client Alert



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DCH Warns Personal Care Homes Against Using the Term “Assisted Living”

On April 10, 2012, the Georgia Department of Community Health (DCH) published a notice, available [here](#),¹ regarding the use of the term “assisted living” by licensed personal care homes. The notice refers to O.C.G.A. § 10-1-393(26), which prohibits a personal care home or assisted living community from “offering, advertising to, or soliciting the public” to provide services that are outside the scope of personal care services or assisted living care that the facility has been specifically authorized to provide. Personal care homes and assisted living facilities provide different levels of services to their residents. Personal care homes and assisted living facilities are governed by different statutes and regulations, and require different licenses from the state.

Therefore, DCH warns that it will not issue an initial permit to any personal care home that uses the term “assisted living” in the name of the home or any of its marketing materials. Moreover, currently licensed personal care homes that use the term “assisted living” in their name or marketing materials must remove the term as soon as practical, but not later than May 1, 2013. If the currently licensed personal care home does not wish to remove the term “assisted living” from its name or marketing materials, it must apply to become licensed as an assisted living community.

For more information regarding the distinctions between assisted living communities and personal care homes under Georgia law, please see previously published articles by clicking [here](#)² and [here](#).³

- http://dch.georgia.gov/vgn/images/portal/cit_1210/17/51/183672944Notice_Assisted_Living.pdf
- <http://www.agg.com/media/interior/publications/Gardner-Georgia-General-Assembly-Passes-Senate-Bill-178.pdf>
- <http://www.agg.com/media/interior/publications/Rubinger-Grozone-GA-DCH-Publishes-Final-Regulations-and-Application-Materials-for-ALCs.pdf>

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