



ASSISTED LIVING STATE REGULATORY REVIEW

2 0 2 5

About the National Center for Assisted Living

The National Center for Assisted Living (NCAL) is the assisted living voice of the American Health Care Association (AHCA). As of the date of this publication, AHCA/NCAL represents more than 15,000 non-profit and proprietary skilled nursing centers, assisted living communities, sub-acute centers, and homes for individuals with intellectual and development disabilities. By delivering solutions for quality care, AHCA/NCAL aims to improve the lives of the millions of frail, elderly and individuals with disabilities who receive long term or post-acute care in our member facilities each day.

NCAL is dedicated to serving the needs of the assisted living community through national advocacy, education, networking, professional development, and quality initiatives. In addition, NCAL supports state-specific advocacy efforts through its national federation of state affiliates. NCAL state affiliates work to create local education, advocate on behalf of assisted living providers, and provide the direct, ongoing support their assisted living members need to improve quality and grow their businesses.

Overview of Assisted Living

Assisted living communities are a long term care option preferred by many individuals who typically need help with everyday activities and some health care services but typically do not require 24-hour skilled nursing care services for extended periods of time. These communities offer a unique mix of companionship, independence, and security and become residents' home, prioritizing resident choice, dignity, and privacy. The assisted living model is built on the concept of delivering person-centered services (e.g., personal care) and supports (e.g., housing) that meet each resident's specific needs and preferences. In addition to supporting residents in completing activities of daily living (e.g., bathing, dressing, managing medications), assisted living provides a variety of specialized services, including social work, mental health or counseling, or therapies.

States establish and enforce licensing and certification requirements for assisted living communities, as well as requirements for assisted living administrators or executive directors. While some federal laws and regulations apply to assisted living communities (e.g., Department of Labor Fair Labor Standards Act, OSHA, etc.), state-level regulation of assisted living services and operations ensures an efficient, comprehensive licensure system because the state can effectively coordinate its full range of housing and service programs available to seniors and individuals with physical, intellectual, or developmental disabilities. Furthermore, different state philosophies regarding the role of assisted living in the long term care spectrum enables provider innovation and piloting of new models of housing plus services that respond to local consumer demands.

The majority of assisted living residents pay privately for room, board, and services. Medicare does not cover services offered by assisted living. While Medicaid does not cover room and board, it may cover personal care services for eligible residents in states that allow a Medicaid waiver in assisted living. The Medicaid program is important for ensuring that seniors and individuals with disabilities are able to receive care in the most appropriate setting.

Executive Summary

This report summarizes a variety of selected state requirements for assisted living licensure or certification. States use various terms to refer to assisted living, such as residential care, personal care homes and other similar terms. This report includes requirements for those types of communities that offer seniors and / or people with disabilities housing, supportive services, person-centered assistance with activities of daily living, and some level of health care. For every state and the District of Columbia, this report provides information on preselected topics, such as which state agency licenses assisted living, recent legislative and regulatory updates affecting assisted living, scope of care, limitations of services, staffing, and training to name a few.

Eighteen (35%) reported regulatory or legislative changes from January 1, 2025, to December 31, 2025, that affected assisted living residents, staff, and facility operations. These legislative changes affected a variety of requirements, some of which are included in this report.

NCAL has identified the top three areas of regulatory change in 2025 were:

- Direct Care Staff Education and Training Requirements – 10 states (20%)
- Administrator/ Director Education and Training Requirements – 9 states (18%)
- Staff Scheduling Requirements – 7 states (14%)

In 2026 the Regulatory Review will continue to be updated for a select group of states each quarter and updated as known changes occur for each state.

Methodology

Between January 1 and December 31, 2025, Lawther Consulting LLC conducted quarterly updates to the Regulatory Review for a select group of states to ensure the information remained current and accurate. For each quarterly review, assisted living regulations adopted by the respective states were examined utilizing publicly available, web-based resources, as well as input from NCAL state affiliates and state agencies.

Lawther Consulting LLC did not review sub-regulatory guidance, nor did it undertake a comprehensive analysis of regulations and statutes beyond the licensure requirements established by the state agency responsible for overseeing assisted living. Furthermore, states with Medicaid programs that provide coverage for assisted living services may impose additional requirements on participating providers; this report does not necessarily include those Medicaid-specific provisions.

To confirm the accuracy of preliminary findings, Lawther Consulting LLC submitted the information to state agency officials or NCAL state affiliates for review and approval. All hyperlinks were verified as active during the quarter in which the respective state review was completed. Each summary (51 states, representing 100%) was reviewed and approved by either a state agency official or an NCAL state affiliate prior to publication.

NCAL did not standardize assisted living terminology across states; each summary reflects the terminology adopted by the respective state. However, efforts were made to maintain a consistent level of detail across states by employing standardized section descriptions (see

Table 1 below). The absence of information on a specific requirement should not be interpreted as the absence of such a requirement. Where state licensing regulations did not address a particular topic, the designation “None specified” was applied.

Table 1. Assisted Living State Regulatory Review Report Sections	
Report Sections	Section Description
Licensure Term	The term the state uses as a license type (i.e., assisted living, residential care, personal care home, etc.)
Definition	Definition of assisted living or appropriate state-specific licensure term
Regulatory and Legislative Update	Overview of any updates, changes, status quo, of licensure and/or any regulatory changes and how it pertains to each states regulatory review
Move-in Requirements Including Required Disclosures/Notifications	Overview of any move-in requirements and any required disclosures or notifications that must be given to assisted living facility residents/families
Facility Scope of Care	Overview of service(s) a licensed provider can provide in an assisted living facility
Limitations of Services	Overview of service(s) that a licensed provider cannot provide to an assisted living facility resident
Resident Assessment Requirements and Frequency	Overview of any assessment requirements and assessment frequency
Medication Management	Overview of any medication management requirements
Staff Scheduling Requirements	Overview of any staffing requirements for direct care staff, licensed staff, or administrative staff
Administrator/ Director Education and Training Requirements	Overview of any Administrator and/or Director education and training requirements
Direct Care Staff Education and Training Requirements	Overview of any direct care staff education or training requirements
Quality Requirements	Overview of any quality measurement, data collection, or quality management program requirements
Infection Control Requirements	Overview of any infection control requirements
Emergency Preparedness	Overview of any emergency preparedness requirements
Medicaid Policy and Reimbursement	Overview state coverage of assisted living services via Medicaid waivers and any misc. information on the program, if applicable
Citations	List of reference links

The information in this report is not intended as legal advice and should not be used as or relied upon as legal advice. The report is for general informational purposes only and should not

substitute for legal advice. This report summarizes key selected state requirements for assisted living licensure or certification and, as such, does not include the entirety of licensure requirements for assisted living and residential care communities.

We are sincerely grateful to state agency officials and NCAL state affiliates who provided information for this report and reviewed its contents.

Jill Schewe, LALD
Director of Policy and Regulatory Affairs
National Center for Assisted Living (NCAL)
jschewe@ncal.org