

ENROLLED BILL

-- *Health and Government Operations/Finance* --

Introduced by **Delegates Murray, Barve, Benson, Boutin, Bronrott, Costa, Cryor, Dumais, Feldman, Franchot, Goldwater, Gordon, Haynes, Heller, Hixson, Hurson, King, Lee, Madaleno, Montgomery, Oaks, Paige, Petzold, Rudolph, Stern, Taylor, F. Turner, V. Turner, and Weldon**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Nursing Homes - Family Council - Administrative Functions**

3 FOR the purpose of authorizing nursing homes to assist a family council in the
4 administrative functions of operating a family council under certain
5 circumstances; providing that the nursing home may assist the family council
6 for longer than a certain period of time under certain circumstances; and
7 generally relating to family councils and nursing homes.

8 BY repealing and reenacting, without amendments,
9 Article - Health - General
10 Section 19-1416(a)
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2004 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article - Health - General
3 Section 19-1416(b)
4 Annotated Code of Maryland
5 (2000 Replacement Volume and 2004 Supplement)

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

8 **Article - Health - General**

9 19-1416.

10 (a) In this section, "family council" means a group of individuals who work
11 together to protect the rights of and improve the quality of life of residents of a
12 nursing home.

13 (b) (1) A family council for a nursing home may consist of the following
14 members:

15 (i) Members of a resident's family; or

16 (ii) An individual appointed by the resident, or if the resident is
17 incapable of appointing an individual, an individual appointed by the resident's
18 family.

19 (2) (i) Subject to subparagraph (ii) of this paragraph, a family council
20 may be created by the owner, operator, or staff of a nursing home.

21 (ii) [In] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
22 SUBSECTION, IN order to facilitate the development of a family council, the owner,
23 operator, or staff of a nursing home may lead the family council for no longer than 6
24 months at which time the family council shall be led by a member of the family
25 council.

26 (3) ON THE WRITTEN REQUEST OF A FAMILY COUNCIL, THE NURSING
27 HOME MAY ASSIST THE FAMILY COUNCIL IN THE ADMINISTRATIVE FUNCTIONS OF
28 OPERATING THE FAMILY COUNCIL IN A MUTUALLY AGREED UPON MANNER.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect July 1, 2005.

