

SB0144/787875/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 144  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Services)” insert “and Senators Middleton, Astle, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, and Pugh”; in line 7, after “Board;” insert “altering the membership of the Board;”; and in line 14, after “Section” insert “9-202 and”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“9-202.

(a) (1) The Board consists of [13] 14 members.

(2) Of the [13] 14 Board members:

(i) Six members shall be licensed nursing home administrators who are practicing actively and have at least 5 years experience as licensed nursing home administrators, one of whom has experience with the Eden Alternative Green House or a similar program, if practicable;

(ii) Two shall be individuals who are not nursing home administrators but who are engaged actively in professions that are concerned with the care of chronically ill, infirm, or aged individuals;

(iii) One shall be a physician or a nurse practitioner who specializes in geriatrics;

(Over)

(iv) One shall be a geriatric social worker;

(V) ONE SHALL BE THE MARYLAND LONG-TERM CARE OMBUDSMAN DESIGNATED UNDER § 10-213 OF THE HUMAN SERVICES ARTICLE; and

[(v)] (VI) Two shall be consumer members.

(3) Not more than [two] THREE members may be officials or full-time employees of this State or of any of its political subdivisions.

(4) A representative of the Office of Health Care Quality shall serve as an ex officio member.

(b) (1) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.

(2) (i) Except for the consumer members AND THE MARYLAND LONG-TERM CARE OMBUDSMAN, the Governor shall appoint each Board member, with the advice of the Secretary.

(ii) The Secretary shall make each recommendation after consulting with the associations and societies appropriate to the disciplines and professions representative of the vacancy to be filled.

(c) Each Board member shall:

(1) Be a United States citizen or have declared an intent to become a United States citizen; and

(2) Have resided in this State for at least 1 year before appointment to the Board.

(d) (1) Each consumer member of the Board:

(i) Shall be a member of the general public;

(ii) May not be or ever have been a nursing home administrator or in training to become a nursing home administrator;

(iii) May not have a household member who is a nursing home administrator or in training to become a nursing home administrator;

(iv) May not participate or ever have participated in a commercial or professional field related to the practice of a nursing home administrator;

(v) May not have a household member who participates in a commercial or professional field related to the practice of a nursing home administrator; and

(vi) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(2) One consumer member shall have presently or have had a family member living in a nursing home.

(e) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(Over)

(g) (1) THIS SUBSECTION DOES NOT APPLY TO THE MEMBERSHIP OF THE MARYLAND LONG-TERM CARE OMBUDSMAN.

[(1)] (2) The term of a member is 4 years.

[(2)] (3) The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1981.

[(3)] (4) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

[(4)] (5) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

[(5)] (6) A member may not serve more than 2 consecutive full terms.

[(6)] (7) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(h) (1) The Governor may remove a member for incompetence, misconduct, incapacity, or neglect of duty.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.”;

strike beginning with “a” in line 27 down through “(3)” in line 29; and in lines 31 and 32, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively.

On page 3, in lines 1 and 5, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively.