

SENATE BILL 195

J3

3lr1577
CF 3lr1996

By: **Senators Kelley, Astle, Benson, Forehand, Glassman, Jacobs,
Jones-Rodwell, Kittleman, Mathias, Middleton, Pugh, and Rosapepe**

Introduced and read first time: January 18, 2013

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 5, 2013

CHAPTER _____

1 AN ACT concerning

2 **Hospitals – Notice to Patients – Outpatient Status and Billing Implications**

3 FOR the purpose of requiring a hospital, under certain circumstances, to provide
4 certain notice to a patient of the patient's outpatient status, the billing
5 implications of the outpatient status, and the impact of the outpatient status on
6 the patient's eligibility for Medicare rehabilitation services; requiring the
7 Department of Health and Mental Hygiene, in consultation with certain
8 hospitals, to adopt by regulation ~~standard language for~~ standardized elements
9 to be included in a certain written notice; and generally relating to notices
10 provided by hospitals to patients.

11 BY adding to

12 Article – Health – General

13 Section 19–349.1

14 Annotated Code of Maryland

15 (2009 Replacement Volume and 2012 Supplement)

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

18 **Article – Health – General**

19 **19–349.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) A HOSPITAL SHALL PROVIDE ORAL AND WRITTEN NOTICE TO A
2 PATIENT OF THE PATIENT'S OUTPATIENT STATUS, THE BILLING IMPLICATIONS
3 OF THE OUTPATIENT STATUS, AND THE IMPACT OF THE OUTPATIENT STATUS ON
4 THE PATIENT'S ELIGIBILITY FOR MEDICARE REHABILITATION SERVICES IF:

5 (1) THE PATIENT RECEIVES ON-SITE SERVICES FROM THE
6 HOSPITAL FOR MORE THAN ~~18~~ 23 CONSECUTIVE HOURS;

7 (2) THE ON-SITE SERVICES RECEIVED BY THE PATIENT INCLUDE
8 A HOSPITAL BED AND MEALS THAT HAVE BEEN PROVIDED IN AN AREA OF THE
9 HOSPITAL OTHER THAN THE EMERGENCY ROOM; AND

10 (3) THE PATIENT IS CLASSIFIED AS AN OUTPATIENT AT THE
11 HOSPITAL FOR OBSERVATION RATHER THAN AN ADMITTED INPATIENT.

12 (B) THE DEPARTMENT, IN CONSULTATION WITH HOSPITALS IN THE
13 STATE, SHALL ADOPT BY REGULATION ~~STANDARD LANGUAGE FOR~~
14 STANDARDIZED ELEMENTS TO BE INCLUDED IN THE WRITTEN NOTICE
15 REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.