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§19–2302.

(a) An accreditation organization shall apply to the Secretary for approval.

(b) Prior to approval of an accreditation organization, the Secretary shall:

(1) Determine that the standards of the accreditation organization are equal to or more stringent than existing State requirements;

(2) Evaluate the survey or inspection process of the accreditation organization to ensure the integrity of the survey or inspection process; and

(3) Enter into a formal written agreement with the accreditation organization that includes requirements for:

(i) Notice of all surveys and inspections;

(ii) Sharing of complaints and other relevant information;

(iii) Participation of the Department in accreditation organization activities; and

(iv) Any other provision necessary to ensure the integrity of the accreditation and licensure process.

(c) (1) When an approved accreditation organization has issued a final report finding a health care facility or a health care staff agency to be in substantial compliance with the accreditation organization's standards, the Department shall accept the report as evidence that the health care facility or health care staff agency has met State licensure requirements and shall grant the health care facility or health care staff agency deemed status.

(2) A health care facility or a health care staff agency that fails to achieve substantial compliance with the standards of an approved accreditation organization may be subject to the provisions of § 19–360 of this title.

(d) (1) An approved accreditation organization shall send the Department any preliminary and final report of each inspection and survey at the time it is sent to the health care facility or health care staff agency.

(2) A final report of an approved accreditation organization shall be made immediately available to the public on request.

(3) A preliminary or final report of an approved accreditation organization is not admissible in evidence in any civil action or proceeding.

(e) The Department may inspect an accredited health care facility or a health care staff agency to:

(1) Determine compliance with any quality requirement;

(2) Follow up on any serious problem identified by an approved accreditation organization;

(3) Investigate a complaint; or

(4) Validate the findings of an approved accreditation organization.

(f) The Department may participate in or observe a survey or inspection of a health care facility or a health care staff agency conducted by an approved accreditation organization.

(g) On a determination by the Secretary that an approved accreditation organization has failed to meet its obligations under this section, the Secretary may withdraw:

(1) The approval from the accreditation organization; and

(2) The deemed status given to a health care facility or a health care staff agency by the accreditation organization.

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