

Article - Health - General

§19–301.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Accredited hospital” means a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations.
- (c) “Accredited residential treatment center” means a residential treatment center that is accredited by the Joint Commission on Accreditation of Healthcare Organizations.
- (d) “Apartment unit” means any space, in a residential building, that is enclosed and self-contained and has a sanitary environment, if the space includes:
 - (1) 2 or more rooms;
 - (2) A direct exit to a thoroughfare or to a common element leading to a thoroughfare;
 - (3) Facilities for living, sleeping, and eating; and
 - (4) At least the following facilities for cooking:
 - (i) Storage space for food and utensils;
 - (ii) A refrigerator;
 - (iii) A cook top; and
 - (iv) Adequate electrical capacity and outlets for small appliances.
- (e) (1) “Domiciliary care” means services that are provided to aged or disabled individuals in a protective, institutional or home-type environment.
 - (2) “Domiciliary care” includes:
 - (i) Shelter;
 - (ii) Housekeeping services;
 - (iii) Board;
 - (iv) Facilities and resources for daily living; and
 - (v) Personal surveillance or direction in the activities of daily living.
- (f) “Hospital” means an institution that:

(1) Has a group of at least 5 physicians who are organized as a medical staff for the institution;

(2) Maintains facilities to provide, under the supervision of the medical staff, diagnostic and treatment services for 2 or more unrelated individuals; and

(3) Admits or retains the individuals for overnight care.

(g) “License” means a license issued by the Secretary:

(1) To operate a hospital in this State;

(2) To operate a related institution in this State; or

(3) To operate a residential treatment center in this State.

(h) “Limited service hospital” means a health care facility that:

(1) Is licensed as a hospital on or after January 1, 1999;

(2) Changes the type or scope of health care services offered by eliminating the facility’s capability to admit or retain patients for overnight hospitalization;

(3) Retains an emergency or urgent care center; and

(4) Complies with the regulations adopted by the Secretary under § 19-307.1 of this subtitle.

(i) “Nonaccredited hospital” means a hospital not accredited by the Joint Commission on Accreditation of Healthcare Organizations.

(j) “Nonaccredited residential treatment center” means a residential treatment center that is not accredited by the Joint Commission on Accreditation of Healthcare Organizations.

(k) “Nursing care” means service for a patient that is:

(1) Ordered by a physician; and

(2) Provided or supervised by a registered or practical nurse who is licensed to practice in this State.

(l) “Nursing facility” means a related institution that provides nursing care for 2 or more unrelated individuals.

(m) “Person” includes this State or a county or municipal corporation.

(n) (1) “Personal care” means a service that an individual normally would perform personally, but for which the individual needs help from another because of

advanced age, infirmity, or physical or mental limitation.

(2) “Personal care” includes:

- (i) Help in walking;
- (ii) Help in getting in and out of bed;
- (iii) Help in bathing;
- (iv) Help in dressing;
- (v) Help in feeding; and
- (vi) General supervision and help in daily living.

(o) (1) “Related institution” means an organized institution, environment, or home that:

(i) Maintains conditions or facilities and equipment to provide domiciliary, personal, or nursing care for 2 or more unrelated individuals who are dependent on the administrator, operator, or proprietor for nursing care or the subsistence of daily living in a safe, sanitary, and healthful environment; and

(ii) Admits or retains the individuals for overnight care.

(2) “Related institution” does not include a nursing facility or visiting nurse service that is conducted only by or for adherents of a bona fide church or religious organization, in accordance with tenets and practices that include reliance on treatment by spiritual means alone for healing.

(p) “Residential treatment center” means a psychiatric institution that provides campus-based intensive and extensive evaluation and treatment of children and adolescents with severe and chronic emotional disturbances who require a self-contained therapeutic, educational, and recreational program in a residential setting.

(q) “Unrelated individual” means anyone who is not:

(1) A child, grandchild, parent, grandparent, sibling, stepparent, stepchild, or spouse of the proprietor; or

(2) An in-law of any of these individuals.