

Department of Legislative Services

Maryland General Assembly

2018 Session

FISCAL AND POLICY NOTE

Enrolled - Revised

Senate Bill 4

(Senator Nathan-Pulliam)

Finance

Health and Government Operations

**Oversight Committee on Quality of Care in Nursing Homes and Assisted Living
Facilities – Revisions**

This bill alters the membership of and authorizes additional duties that may be performed by the Oversight Committee on Quality of Care in Nursing Homes and Assisted Living Facilities. The bill also makes related clarifying changes. By November 1, 2018, the oversight committee must review the changes to oversight committee membership and duties under the bill and make recommendations on any additional legislative changes that may be necessary to specified committees of the General Assembly. **The bill takes effect June 1, 2018.**

Fiscal Summary

State Effect: Any increase in costs is expected to be minimal and can likely be absorbed with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill alters the membership of the oversight committee, generally including:

- adding as members the director of the Office of Health Care Quality (OHCQ), the Secretary of Disabilities, the State Long-Term Care Ombudsman, and one representative of the Maryland Association of Adult Day Services;

- clarifying that the Deputy Secretary for Behavioral Health, or the Deputy Secretary's designee, rather than a *representative* of the Behavioral Health Administration, must be a member of the oversight committee;
- specifying that two (rather than three) representatives of area agencies on aging be selected by the President of the Maryland Association of Area Agencies on Aging, rather than appointed by the Secretary of Aging;
- establishing that one representative of a local long-term care ombudsman entity be selected by the State Long-Term Care Ombudsman; and
- specifying that the State Long-Term Care Ombudsman, rather than the Governor, appoint specified consumer members.

The bill may not be construed to require the resignation or replacement of any members currently serving on the oversight committee solely on the basis of who selected or appointed the individual to serve.

The bill specifies that the duty of the oversight committee to evaluate the progress in improving nursing home care quality and assisted living facility quality statewide may include consideration of (1) potential barriers to Medicaid eligibility and the timely payment of claims submitted to Medicaid; (2) staff training and development; (3) the rights of residents; (4) data on resident satisfaction; (5) resident assessments; (6) resident care planning; (7) the monitoring of residents; and (8) the change of resident status. Further, the bill makes optional several items currently considered in the oversight committee's ongoing evaluation of the progress in improving nursing home care quality and assisted living facility quality standards.

The oversight committee may also (1) review legislation and proposed regulations that may affect nursing home and assisted living facility care and (2) make recommendations about legislation to the General Assembly and about regulations to the specified departments and to the Joint Committee on Administrative, Executive, and Legislative Review.

Current Law/Background: Originally formed in 2000, the oversight committee evaluates progress in improving the quality of nursing home and assisted living facility care in the State. The Deputy Secretary of Health Care Financing reports annually to the oversight committee on the status of the Medicaid Nursing Home Reimbursement System. OHCQ reports to the oversight committee on the implementation of the recommendations of the Task Force on Quality of Care in Nursing Facilities, and the status of quality of care in nursing homes. As the oversight committee reviews these reports, it is responsible for developing further proposals on how to improve nursing home care in the State.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Aging; U.S. Department of Health and Human Services; Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - January 24, 2018
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Analysis by: Nathan W. McCurdy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510