

SENATE BILL 698

O2

9lr2583

By: **Senators Kelley, Klausmeier, and West**
Introduced and read first time: February 4, 2019
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Continuing Care Retirement Communities – Mediation – Representation by**
3 **Counsel**

4 FOR the purpose of repealing the prohibition against a community care retirement
5 community provider, subscriber, or group of subscribers being represented by
6 counsel during a certain mediation procedure; and generally relating to continuing
7 care retirement communities and mediation.

8 BY repealing and reenacting, with amendments,
9 Article – Human Services
10 Section 10–428
11 Annotated Code of Maryland
12 (2007 Volume and 2018 Supplement)

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

15 **Article – Human Services**

16 10–428.

17 (a) A provider shall establish an internal grievance procedure to address a
18 subscriber’s grievance.

19 (b) The internal grievance procedure shall at least:

20 (1) allow a subscriber or group of subscribers collectively to submit a
21 written grievance to the provider;

22 (2) require the provider to send a written acknowledgment to the
23 subscriber or group of subscribers within 5 days after receipt of the written grievance;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) require the provider to assign personnel to investigate the grievance;

2 (4) give a subscriber or group of subscribers who file a written grievance
3 the right to meet with management of the provider within 30 days after receipt of the
4 written grievance to present the grievance; and

5 (5) require the provider to respond in writing within 45 days after receipt
6 of the written grievance regarding the investigation and resolution of the grievance.

7 (c) (1) Within 30 days after the conclusion of an internal grievance procedure
8 established under this section, a subscriber, group of subscribers, or provider may seek
9 mediation through one of the Community Mediation Centers in the State or another
10 mediation provider.

11 (2) If a provider, subscriber, or group of subscribers seeks mediation under
12 paragraph (1) of this subsection[:

13 (i)], the mediation shall be nonbinding[; and

14 (ii) the provider, subscriber, or group of subscribers may not be
15 represented by counsel].

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2019.