

HOUSE BILL 207

J3

1lr1456

(PRE-FILED)

By: **Delegate Wilson**

Requested: November 1, 2020

Introduced and read first time: January 13, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Homes – Resident Change in Condition – Notification**

3 FOR the purpose of altering a certain provision of law requiring a nursing home to provide
4 certain notification regarding a certain change in condition of a resident to the
5 resident or certain individuals to require the notification to be provided within a
6 certain time period, rather than in a timely manner; and generally relating to
7 nursing homes, nursing home residents, and changes in condition.

8 BY repealing and reenacting, with amendments,

9 Article – Health – General

10 Section 19–1415

11 Annotated Code of Maryland

12 (2019 Replacement Volume and 2020 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Health – General**

16 19–1415.

17 (a) In this section, “change in condition” means a significant change in the
18 resident’s physical, mental, or psychological status including:

19 (1) Life-threatening conditions such as heart attack or stroke;

20 (2) Clinical complications such as:

21 (i) Development of a pressure sore;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) Onset of recurrent periods of delirium;
- 2 (iii) Onset of recurrent urinary tract infection;
- 3 (iv) Onset of depression; or
- 4 (v) Onset of aggressive or inappropriate behavior;
- 5 (3) The need to discontinue a medication or treatment because of:
- 6 (i) Adverse consequences; or
- 7 (ii) The need to begin a new form of treatment;
- 8 (4) Evaluation at or admission to a hospital; and
- 9 (5) Accidents that result in injury having the potential for requiring a
10 physician's intervention.

11 (b) Consistent with State and federal confidentiality laws [and in a timely
12 manner], a nursing home shall notify a resident and, if applicable, the resident's
13 representative or interested family member [of] **WITHIN 24 HOURS AFTER** any:

- 14 (1) Change in condition;
- 15 (2) Adverse event that may result in a change in condition;
- 16 (3) Outcome or care that results in an unanticipated consequence; or
- 17 (4) Corrective action, if appropriate.

18 (c) If the Department determines that a nursing home failed to notify a resident,
19 resident's representative, or interested family member under subsection (b) of this section,
20 the Department shall require as part of a plan of correction that the nursing home notify
21 the resident, the resident's representative, or interested family member as soon as possible.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2021.