

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 193 (Senators Astle and Neall)

Finance

Referred to Environmental Matters

**Health Resources Planning Commission - Certificate of Need -
Nursing Facilities Implementation Requirements**

This amended bill specifies that a certificate of need (CON) only lasts three years unless the nursing home for which the CON was issued is developed, except under specified circumstances. A person who does not develop a nursing home for which a CON was issued within three years of the date of issuance must reapply for a new CON. A person intending to transfer a nursing home CON to another person or location must apply to the Health Resources Planning Commission (HRPC) for approval of the transfer; however, the original three-year deadline still applies. The bill specifies the intent of the General Assembly that HRPC consider for revocation any nursing home CON approved prior to July 1, 1993 which has not obtained all necessary construction permits and has not broken ground as of the effective date of this bill.

The bill takes effect July 1, 1997.

Fiscal Summary

State Effect: None. The bill's requirements could be handled with existing budgeted resources.

Local Effect: None. It is assumed that the bill's requirements could be handled with existing budgeted resources.

Small Business Effect: Potential meaningful effect on small business nursing facilities to the extent that they must undergo additional CON review and would be subject to the three year deadline.

Fiscal Analysis

Bill Summary: The bill provides that, at least 30 days before HRPC reaches a final decision to grant a CON to develop or relocate a nursing home, HRPC is required to (1) notify the local health planning agency or local health department of the proposed site of the nursing home; (2) request that the local health planning agency or local health department notify the residents in all affected communities of the pending decision; and (3) allow community representatives to address HRPC at a public hearing regarding the nursing home's potential impact.

An "interested party" may request an opportunity to present oral argument to the commission. Under current law, an interested party may make oral argument to the commission.

Information Source(s): Department of Health and Mental Hygiene (Health Resources Planning Commission), Department of Fiscal Services

Fiscal Note History: First Reader - February 4, 1997
lc Revised - Senate Third Reader - March 31, 1997

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