

HOUSE BILL 1351

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1998 Regular Session
(8lr2639)

ENROLLED BILL
-- Environmental Matters/Finance --

Introduced by **Delegate Guns**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Health-Care Hospital or Nursing Facility - Employee Name Tags**

3 FOR the purpose of requiring each ~~health-care~~ hospital or nursing facility in the State
4 to ensure that its employees and certain other individuals wear a personal
5 identification tag, except where inappropriate for medical reasons, that contains
6 certain personal and professional information; authorizing the Secretary of
7 Health and Mental Hygiene to ~~adopt certain regulations and to take appropriate~~
8 ~~sanctions~~ impose a certain penalty against a ~~health-care~~ hospital or nursing
9 facility under certain circumstances; and generally relating to a certain
10 requirement concerning name tags for ~~health-care~~ hospital or nursing facility
11 employees and others.

12 ~~BY repealing and reenacting, without amendments,~~
13 ~~Article Health-General~~
14 ~~Section 1-101(a) and (i)~~
15 ~~Annotated Code of Maryland~~
16 ~~(1994 Replacement Volume and 1997 Supplement)~~

1 ~~BY repealing and reenacting, without amendments,~~
 2 ~~Article - Health - General~~
 3 ~~Section 19-101(f)~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(1996 Replacement Volume and 1997 Supplement)~~

6 BY adding to
 7 Article - Health - General
 8 Section ~~19-102.1~~ 19-308.4
 9 Annotated Code of Maryland
 10 (1996 Replacement Volume and 1997 Supplement)

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

13 **Article - Health - General**

14 ~~1-101.~~

15 (a) ~~In this article the following words have the meanings indicated.~~

16 (i) ~~"Secretary" means the Secretary of Health and Mental Hygiene.~~

17 ~~19-101.~~

18 (f) (1) ~~"Health care facility" means:~~

19 (i) ~~A hospital, as defined in § 19-301 of this title;~~

20 (ii) ~~A related institution, as defined in § 19-301 of this title;~~

21 (iii) ~~An ambulatory surgical facility;~~

22 (iv) ~~An inpatient facility that is organized primarily to help in the~~
 23 ~~rehabilitation of disabled individuals, through an integrated program of medical and~~
 24 ~~other services provided under competent professional supervision;~~

25 (v) ~~A home health agency, as defined in § 19-401 of this title;~~

26 (vi) ~~A hospice, as defined in § 19-901 of this title; and~~

27 (vii) ~~Any other health institution, service, or program for which Part~~
 28 ~~1 of this subtitle requires a certificate of need.~~

29 (2) ~~"Health care facility" does not include:~~

30 (i) ~~A hospital or related institution that is operated, or is listed and~~
 31 ~~certified, by the First Church of Christ Scientist, Boston, Massachusetts;~~

1 (ii) For the purpose of providing an exemption from a certificate of
 2 need under § 19-115 of this subtitle, a facility to provide comprehensive care
 3 constructed by a provider of continuing care, as defined by Article 70B of the Code, if:

4 1. The facility is for the exclusive use of the provider's
 5 subscribers who have executed continuing care agreements for the purpose of
 6 utilizing independent living units or domiciliary care within the continuing care
 7 facility;

8 2. The number of comprehensive care nursing beds in the
 9 facility does not exceed 20 percent of the number of independent living units at the
 10 continuing care community; and

11 3. The facility is located on the campus of the continuing care
 12 facility;

13 (iii) Except for a facility to provide kidney transplant services or
 14 programs, a kidney disease treatment facility, as defined by rule or regulation of the
 15 United States Department of Health and Human Services;

16 (iv) Except for kidney transplant services or programs, the kidney
 17 disease treatment stations and services provided by or on behalf of a hospital or
 18 related institution; or

19 (v) The office of one or more individuals licensed to practice
 20 dentistry under Title 4 of the Health Occupations Article, for the purposes of
 21 practicing dentistry.

22 ~~19-102.1. 19-308.4.~~

23 (A) EACH ~~HEALTH CARE~~ HOSPITAL OR NURSING FACILITY IN THE STATE
 24 SHALL ENSURE THAT ITS EMPLOYEES AND ANY OTHER INDIVIDUALS WHO PROVIDE
 25 A HEALTH CARE SERVICE WITHIN OR ON THE PREMISES OF THE ~~HEALTH CARE~~
 26 HOSPITAL OR NURSING FACILITY WEAR A PERSONAL IDENTIFICATION TAG, EXCEPT
 27 WHERE INAPPROPRIATE FOR MEDICAL REASONS, THAT INDICATES *IN READABLE*
 28 TEXT:

29 (1) THE NAME OF THE INDIVIDUAL; AND

30 (2) THE PROFESSIONAL OR OTHER TITLE OF THE INDIVIDUAL.

31 (B) THE SECRETARY MAY:

32 (1) ~~ADOPT ANY REGULATION NECESSARY TO CARRY OUT THIS SECTION;~~
 33 ~~AND~~

34 (2) ~~TAKE APPROPRIATE SANCTIONS AGAINST A HEALTH CARE FACILITY~~
 35 ~~THAT FAILS TO TAKE THE ACTION REQUIRED UNDER SUBSECTION (A) IMPOSE A FINE~~
 36 ~~NOT TO EXCEED \$25 PER VIOLATION OF THIS SECTION.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.