

HOUSE BILL 1351

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1998 Regular Session
8lr2639

By: **Delegate Guns**

Introduced and read first time: February 25, 1998

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 2, 1998

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 1998

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)~~

17 ~~BY repealing and reenacting, without amendments,~~
18 ~~Article - Health - General~~
19 ~~Section 19-101(f)~~
20 ~~Annotated Code of Maryland~~
21 ~~(1996 Replacement Volume and 1997 Supplement)~~

22 BY adding to
23 Article - Health - General

1 Section ~~19-102.1~~ 19-308.4
2 Annotated Code of Maryland
3 (1996 Replacement Volume and 1997 Supplement)

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

6 **Article - Health - General**

7 ~~1-101.~~

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

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

10 ~~19-101.~~

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

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

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

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

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

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

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

20 (vii) ~~Any other health institution, service, or program for which Part~~
21 ~~I of this subtitle requires a certificate of need.~~

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

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

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

28 1. ~~The facility is for the exclusive use of the provider's~~
29 ~~subscribers who have executed continuing care agreements for the purpose of~~
30 ~~utilizing independent living units or domiciliary care within the continuing care~~
31 ~~facility;~~

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

4 3. The facility is located on the campus of the continuing care
5 facility;

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

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

~~12 (v) The office of one or more individuals licensed to practice~~
~~13 dentistry under Title 4 of the Health Occupations Article, for the purposes of~~
~~14 practicing dentistry.~~

15 ~~19-102.1.~~ 19-308.4.

16 (A) EACH ~~HEALTH CARE~~ HOSPITAL OR NURSING FACILITY IN THE STATE
17 SHALL ENSURE THAT ITS EMPLOYEES AND ANY OTHER INDIVIDUALS WHO PROVIDE
18 A HEALTH CARE SERVICE WITHIN OR ON THE PREMISES OF THE ~~HEALTH CARE~~
19 HOSPITAL OR NURSING FACILITY WEAR A PERSONAL IDENTIFICATION TAG, EXCEPT
20 WHERE INAPPROPRIATE FOR MEDICAL REASONS, THAT INDICATES:

21 (1) THE NAME OF THE INDIVIDUAL; AND

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

23 (B) THE SECRETARY MAY:

24 (1) ~~ADOPT ANY REGULATION NECESSARY TO CARRY OUT THIS SECTION;~~
25 ~~AND~~

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

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

