

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 70

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Facilities” insert “and Hospice Care Programs”; in line 4, after “facility” insert “and each hospice care program”; in the same line, after “purposes;” insert “establishing certain procedures through which the Department may conduct an inspection in the home of a hospice patient under certain circumstances; requiring the Department to adopt certain regulations;”; in line 7, after “facilities” insert “and hospice care programs”; in line 10, strike “(c)”; and strike in their entirety lines 13 through 17, inclusive, and substitute:

“BY adding to

Article - Health - General

Section 19-907.1

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 2

On page 1 after line 21, insert:

“(a) In this subtitle the following words have the meanings indicated.

(b) “Home-based hospice care program” means a program that directly or through a contractual arrangement provides a hospice care program in the residence of the patient.”

On page 2, after line 2, insert:

“(d) “General hospice care program” means a coordinated, interdisciplinary program of hospice care services for meeting the special physical, psychological, spiritual, and social needs of dying individuals and their families, by providing palliative and supportive medical, nursing, and

(Over)

other health services through home or inpatient care during the illness and bereavement:

(1) To individuals who have no reasonable prospect of cure as estimated by a physician; and

(2) To the families of those individuals.

(e) “General license” means a license issued by the Secretary to operate a general hospice care program.

(f) “Limited hospice care program” means a coordinated, interdisciplinary program of hospice care services for meeting the special physical, psychological, spiritual, and social needs of dying individuals and their families, by providing palliative and supportive nonskilled services through a home-based hospice care program during illness and bereavement:

(1) To individuals who have no reasonable prospect of cure as estimated by a physician; and

(2) To the families of those individuals.

(g) “Limited license” means a license issued by the Secretary to operate a limited hospice care program.”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 3 on page 2 through line 6 on page 3, inclusive.

On page 3, after line 6, insert “19-907.1.”; in line 7, strike “(C)” and substitute “(A)”; in the same line, strike “(1)”; in lines 8 and 10, in each instance, after “FACILITY” insert “AND EACH HOSPICE CARE PROGRAM”; and in line 10, strike “(2)” and substitute “(B)”.

AMENDMENT NO. 4

On page 3, after line 13, insert:

“(C) IN PERFORMING AN INSPECTION OF A HOSPICE CARE PROGRAM UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION, THE DEPARTMENT MAY INSPECT THE PRIVATE HOME OF A HOSPICE PATIENT ONLY IF:

(1) THE DEPARTMENT EXPLAINS TO THE PATIENT THAT AN INSPECTION IS VOLUNTARY AND THAT REFUSAL TO CONSENT TO THE HOME INSPECTION WILL NOT AFFECT THE PATIENT'S MEDICARE OR MEDICAID BENEFITS;

(2) THE PATIENT SIGNS A CONSENT FORM, DEVELOPED BY THE DEPARTMENT, PERMITTING THE INSPECTION PRIOR TO THE DEPARTMENT PERFORMING THE INSPECTION; AND

(3) THE DEPARTMENT PERFORMS THE INSPECTION DURING REASONABLE HOURS.

(D) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(2) THE REGULATIONS SHALL INCLUDE PROCEDURES FOR:

(I) SELECTING A PATIENT'S HOME FOR AN INSPECTION;

(II) PERFORMING AN INSPECTION OF A PATIENT'S HOME; AND

(III) CONDUCTING A FOLLOW-UP INSPECTION OF A PATIENT'S HOME."