

BY: Delegate Guns

AMENDMENTS TO SENATE BILL NO. 740, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, after “Facilities” insert “- Nursing Home Comparative Evaluation System”.

On page 2 of the bill, in line 1, before “and” insert “requiring the Health Care Access and Cost Commission, in consultation with the Department of Health and Mental Hygiene and the Department of Aging, to develop a system to comparatively evaluate nursing facility quality of care and performance on an objective basis and to annually publish certain summary findings; establishing the purpose of the comparative evaluation system; requiring the Commission to consider a certain factor in developing the system; requiring the system to solicit certain information under certain circumstances; authorizing the Commission to adopt certain regulations; requiring a certain report on or before a certain date;”;

and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Health - General

Section 19-1501

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”

BY adding to

Article - Health - General

Section 19-1508(d)

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”.

(Over)

In the Environmental Matters Committee Amendments (SB0740/639294/1), in Amendment No. 1, after “of” insert “certain provisions of”.

AMENDMENT NO. 2

On page 5 of the bill, after line 32, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the laws of Maryland read as follows:

Article - Health - General

19-1501.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Commission” means the Maryland Health Care Access and Cost Commission.
- (c) “Comprehensive standard health benefit plan” means the comprehensive standard health benefit plan adopted in accordance with § 15-1207 of the Insurance Article.
- (d) (1) “Health care provider” means:
  - (i) A person who is licensed, certified, or otherwise authorized under the Health Occupations Article to provide health care in the ordinary course of business or practice of a profession or in an approved education or training program; or
  - (ii) A facility where health care is provided to patients or recipients, including a facility as defined in § 10-101(e) of this article, a hospital as defined in § 19-301(f) of this article, a related institution as defined in § 19-301(n) of this article, a health maintenance organization as defined in § 19-701(e) of this article, an outpatient clinic, and a medical laboratory.
- (2) “Health care provider” includes the agents and employees of a facility who are licensed or otherwise authorized to provide health care, the officers and directors of a facility, and the agents and employees of a health care provider who are licensed or otherwise authorized to

provide health care.

(e) “Health care practitioner” means any person that provides health care services and is licensed under the Health Occupations Article.

(f) “Health care service” means any health or medical care procedure or service rendered by a health care practitioner that:

(1) Provides testing, diagnosis, or treatment of human disease or dysfunction; or

(2) Dispenses drugs, medical devices, medical appliances, or medical goods for the treatment of human disease or dysfunction.

(G) “NURSING FACILITY” HAS THE MEANING STATED IN § 19-1401 OF THIS TITLE.

[(g)](H) (1) “Office facility” means the office of one or more health care practitioners in which health care services are provided to individuals.

(2) “Office facility” includes a facility that provides:

(i) Ambulatory surgery;

(ii) Radiological or diagnostic imagery; or

(iii) Laboratory services.

(3) “Office facility” does not include any office, facility, or service operated by a hospital and regulated under Subtitle 2 of this title.

[(h)](I) “Payor” means:

(1) A health insurer or nonprofit health service plan that holds a certificate of authority and provides health insurance policies or contracts in the State in accordance with this

(Over)

article or the Insurance Article;

(2) A health maintenance organization that holds a certificate of authority in the State; or

(3) A third party administrator as defined in § 15-111 of the Insurance Article.  
19-1508.

(D) (1) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE DEPARTMENT OF AGING, SHALL:

(I) ON OR BEFORE JULY 1, 2001, DEVELOP AND IMPLEMENT A SYSTEM TO COMPARATIVELY EVALUATE THE QUALITY OF CARE AND PERFORMANCE OF NURSING FACILITIES ON AN OBJECTIVE BASIS; AND

(II) ANNUALLY PUBLISH THE SUMMARY FINDINGS OF THE EVALUATION.

(2) (I) THE PURPOSE OF THE COMPARATIVE EVALUATION SYSTEM ESTABLISHED UNDER THIS SECTION IS TO IMPROVE THE QUALITY OF CARE PROVIDED BY NURSING FACILITIES BY ESTABLISHING A COMMON SET OF PERFORMANCE MEASURES AND DISSEMINATING THE FINDINGS OF THE COMPARATIVE EVALUATION TO NURSING FACILITIES, CONSUMERS, AND OTHER INTERESTED PARTIES.

(II) IN DEVELOPING THE COMPARATIVE EVALUATION SYSTEM, THE COMMISSION SHALL CONSIDER THE HEALTH STATUS OF THE POPULATION SERVED.

(3) THE SYSTEM, AS APPROPRIATE, SHALL SOLICIT PERFORMANCE INFORMATION FROM CONSUMERS AND THEIR FAMILIES.

(4) THE COMMISSION MAY ADOPT REGULATIONS TO ESTABLISH THE

COMPARATIVE EVALUATION SYSTEM PROVIDED UNDER THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2001, the Commission shall report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly on the nursing facility comparative evaluation system required by Section 2 of this Act.”;

in lines 33 and 37, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively.

AMENDMENT NO. 3

On page 7 of the bill, in line 8, strike “4.” and substitute “6.”; in the same line, strike “3” and substitute “5”; in line 10, strike “3” and substitute “5”.

AMENDMENT NO. 4

In the Environmental Matters Committee Amendments (SB0740/639294/1), strike Amendment No. 3 in its entirety.

On page 7 of the bill, strike lines 12 and 13 in their entirety and substitute:

“SECTION 7. AND BE IT FURTHER ENACTED, That Sections 1 and 4 of this Act shall take effect July 1, 1999. Sections 1 and 4 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2002, with no further action required by the General Assembly, Sections 1 and 4 of this Act shall be abrogated and of no further force and effect.

SECTION 8. AND BE IT FURTHER ENACTED, That, except as provided in Sections 6 and 7 of this Act, this Act shall take effect October 1, 1999.”.