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By: **Delegates Hammen, Boutin, Klausmeier, Nathan-Pulliam, and Guns**  
Introduced and read first time: February 10, 2000  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Homes - Quality of Care Oversight**

3 FOR the purpose of establishing an Oversight Committee on Quality of Care in  
4 Nursing Homes; specifying the membership of the Oversight Committee;  
5 specifying the duties of the Oversight Committee; requiring the Office of Health  
6 Care Quality of the Department of Health and Mental Hygiene to report to the  
7 Oversight Committee twice annually; requiring the Oversight Committee to  
8 make certain recommendations and to take into account and examine certain  
9 issues; requiring the Secretary of the Department of Aging to chair the  
10 Oversight Committee; requiring the Department of Aging to provide staff  
11 support for the Oversight Committee; requiring the Oversight Committee to  
12 submit a certain report to the Governor and General Assembly on or before a  
13 certain date; providing for the termination of the Oversight Committee; and  
14 generally relating to the Oversight Committee on Quality of Care in Nursing  
15 Homes.

16 BY adding to  
17 Article - Health - General  
18 Section 19-1410 to be under the amended subtitle "Subtitle 14. Nursing Homes"  
19 Annotated Code of Maryland  
20 (1996 Replacement Volume and 1999 Supplement)

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

23 **Article - Health - General**

24 Subtitle 14. Nursing Homes [- Civil Money Penalties].

25 19-1410.

26 (A) THERE IS AN OVERSIGHT COMMITTEE ON QUALITY OF CARE IN NURSING  
27 HOMES.

1 (B) THE OVERSIGHT COMMITTEE SHALL CONSIST OF THE FOLLOWING  
2 MEMBERS:

3 (1) TWO MEMBERS OF THE SENATE FINANCE COMMITTEE, APPOINTED  
4 BY THE PRESIDENT OF THE SENATE;

5 (2) TWO MEMBERS OF THE SENATE ECONOMIC AND ENVIRONMENTAL  
6 AFFAIRS COMMITTEE, APPOINTED BY THE PRESIDENT OF THE SENATE;

7 (3) FOUR MEMBERS OF THE HOUSE ENVIRONMENTAL MATTERS  
8 COMMITTEE, APPOINTED BY THE SPEAKER OF THE HOUSE;

9 (4) THE SECRETARY OF THE DEPARTMENT OF AGING;

10 (5) THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL  
11 HYGIENE, OR THE SECRETARY'S DESIGNEE; AND

12 (6) THREE REPRESENTATIVES OF AREA AGENCIES ON AGING,  
13 APPOINTED BY THE SECRETARY OF AGING.

14 (C) THE SECRETARY OF AGING SHALL CHAIR THE OVERSIGHT COMMITTEE.

15 (D) THE OVERSIGHT COMMITTEE SHALL MONITOR AND EVALUATE  
16 IMPLEMENTATION OF THE RECOMMENDATIONS OF THE TASK FORCE ON QUALITY OF  
17 CARE IN NURSING FACILITIES, CREATED PURSUANT TO CHAPTERS 382 AND 383 OF  
18 THE ACTS OF THE GENERAL ASSEMBLY OF 1999 AND RELEVANT LEGISLATION  
19 ENACTED SUBSEQUENT TO THE RECOMMENDATIONS OF THE TASK FORCE. THE  
20 OVERSIGHT COMMITTEE SHALL EVALUATE THE PROGRESS IN IMPROVING NURSING  
21 HOME CARE QUALITY STATEWIDE, INCLUDING CONSIDERATION OF:

22 (1) QUALITY OF CARE STANDARDS FOR NURSING HOMES;

23 (2) STAFFING PATTERNS AND STAFFING STANDARDS;

24 (3) POLICIES AND PROCEDURES FOR INSPECTING NURSING HOMES AND  
25 RESPONDING TO QUALITY OF CARE COMPLAINTS;

26 (4) A COMPARISON OF MARYLAND STANDARDS, POLICIES, AND  
27 PROCEDURES TO THOSE IN OTHER STATES;

28 (5) THE LABOR POOL AVAILABLE TO FILL NURSING AND NURSING AIDE  
29 JOBS; AND

30 (6) STATE FUNDING MECHANISMS FOR NURSING HOMES AND  
31 REGULATION OF NURSING HOMES.

32 (E) (1) THE OFFICE OF HEALTH CARE QUALITY IN THE DEPARTMENT OF  
33 HEALTH AND MENTAL HYGIENE SHALL SUBMIT A REPORT TO THE OVERSIGHT  
34 COMMITTEE TWICE ANNUALLY ON THE IMPLEMENTATION OF THE TASK FORCE  
35 RECOMMENDATIONS AND THE STATUS OF QUALITY OF CARE IN NURSING HOMES.

1           (2)     THE REPORTS SHALL BE SUBMITTED ON MARCH 1 AND SEPTEMBER 1  
2 OF EACH YEAR.

3     (F)     THE OVERSIGHT COMMITTEE SHALL REVIEW THE REPORTS OF THE  
4 OFFICE OF HEALTH CARE QUALITY AND DEVELOP RECOMMENDATIONS TO  
5 CONTINUE IMPROVEMENT IN NURSING HOME CARE. THE OVERSIGHT COMMITTEE  
6 SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND,  
7 SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL  
8 ASSEMBLY ON OR BEFORE DECEMBER 1 OF EACH YEAR.

9     (G)     THE DEPARTMENT OF AGING, WITH ASSISTANCE FROM THE DEPARTMENT  
10 OF HEALTH AND MENTAL HYGIENE AND THE DEPARTMENT OF LEGISLATIVE  
11 SERVICES, SHALL PROVIDE STAFF SUPPORT FOR THE OVERSIGHT COMMITTEE.

12     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2000. It shall remain effective for a period of 5 years and 3 months and, at  
14 the end of December 31, 2005, with no further action required by the General  
15 Assembly, this Act shall be abrogated and of no further force and effect.