

HOUSE BILL 1153

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2000 Regular Session
0lr2911
CF 0lr2743

By: **Delegates Redmer, Ports, and Morhaim**
Introduced and read first time: February 11, 2000
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Home Improvement Act of 2000**

3 FOR the purpose of establishing a Long-Term Care Advisory Panel; establishing the
4 membership of the Panel; requiring the Panel to study certain issues; requiring
5 the Panel to submit annual reports; and requiring the Department of Health
6 and Mental Hygiene to take certain actions to improve the quality of nursing
7 care.

8 BY adding to
9 Article - Health - General
10 Section 19-1701 and 19-1702 to be under the new subtitle "Subtitle 17.
11 Long-Term Nursing Care"
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1999 Supplement)

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

16 **Article - Health - General**

17 **SUBTITLE 17. LONG-TERM NURSING CARE.**

18 19-1701.

19 (A) THERE SHALL BE A LONG-TERM CARE ADVISORY PANEL TO STUDY AND
20 PROPOSE METHODS OF IMPROVING THE QUALITY OF LONG-TERM NURSING CARE.

21 (B) THE ADVISORY PANEL SHALL INCLUDE:

22 (1) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR A
23 DESIGNEE;

24 (2) THE SECRETARY OF AGING OR A DESIGNEE;

25 (3) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE
26 PRESIDENT OF THE SENATE;

1 (4) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE
2 SPEAKER OF THE HOUSE;

3 (5) TWO REPRESENTATIVES FROM THE HEALTH FACILITIES
4 ASSOCIATION OF MARYLAND;

5 (6) FROM THE UNIVERSITY OF MARYLAND SCHOOL OF NURSING, THE
6 DEAN OR THE DEAN'S DESIGNEE AND TWO PROFESSORS WITH EXPERTISE IN
7 LONG-TERM CARE;

8 (7) A REPRESENTATIVE FROM THE LOCAL OFFICE ON AGING
9 LONG-TERM CARE OMBUDSMAN, APPOINTED BY THE SECRETARY OF AGING;

10 (8) TWO LONG-TERM NURSING CARE CONSUMERS, APPOINTED BY THE
11 GOVERNOR; AND

12 (9) TWO NURSING HOME EMPLOYEE REPRESENTATIVES, APPOINTED BY
13 THE GOVERNOR.

14 (C) THE ADVISORY PANEL SHALL CONSIDER ISSUES REGARDING CURRENT
15 AND FUTURE LONG-TERM CARE NEEDS OF MARYLAND CITIZENS, INCLUDING:

16 (1) STAFFING;

17 (2) REIMBURSEMENT;

18 (3) CLINICAL MATTERS;

19 (4) THE USE OF COMPUTER SOFTWARE TECHNOLOGY;

20 (5) RECRUITMENT OF LONG-TERM CARE STAFF; AND

21 (6) STATE PARTNERSHIPS WITH INTERESTED PARTIES.

22 (D) THE ADVISORY PANEL SHALL ISSUE A REPORT ON OR BEFORE SEPTEMBER
23 1, OF EACH YEAR TO THE GOVERNOR AND THE GENERAL ASSEMBLY, IN ACCORDANCE
24 WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, CONTAINING ITS FINDINGS
25 AND RECOMMENDATIONS.

26 19-1702.

27 (A) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL TAKE STEPS
28 TO IMPROVE THE QUALITY OF NURSING HOME CARE INCLUDING:

29 (1) HIRING SUFFICIENT SURVEYORS WITHIN THE QUALITY ASSURANCE
30 OFFICE TO MEET STATUTORY AND REGULATORY OVERSIGHT REQUIREMENTS;

31 (2) ISSUING REQUESTS FOR PROPOSALS INVESTIGATING THE USE OF
32 COMPUTER SOFTWARE PACKAGES BY VENDORS TO IMPROVE THE QUALITY OF CARE;

1 (3) ESTABLISHING A TECHNICAL ASSISTANCE UNIT TO FACILITATE
2 TRAINING OF NURSING HOME STAFF AND DISSEMINATION OF BEST PRACTICES
3 MATERIALS;

4 (4) SEEKING A WAIVER FROM THE FEDERAL HEALTH CARE FINANCE
5 ADMINISTRATION TO CREATE AN ALTERNATIVE SURVEY PROCESS BASED ON
6 PERFORMANCE MEASURES AND CONSUMER INPUT; AND

7 (5) WORKING IN CONJUNCTION WITH THE DEPARTMENT OF AGING TO
8 ESTABLISH MINIMUM STAFFING AND CREDENTIAL LEVELS FOR THE OMBUDSMAN
9 PROGRAM, WHICH IS ESTABLISHED IN ARTICLE 70B, § 5 OF THE CODE, TO ENSURE
10 THAT IT IS PERFORMING AND IS FUNDED ADEQUATELY.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2000.