
By: **Delegate Hammen**

Introduced and read first time: January 21, 2002

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Homes - Notice of Closure - Penalties**

3 FOR the purpose of authorizing the Office of Health Care Quality in the Department
4 of Health and Mental Hygiene to impose certain penalties on a nursing home
5 when the nursing home closes without providing a certain notice within a
6 certain period before closure; and generally relating to penalties for failure to
7 provide notice of the closure of a nursing home.

8 BY repealing and reenacting, without amendments,
9 Article - Health - General
10 Section 19-1413
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2001 Supplement)

13 BY adding to
14 Article - Health - General
15 Section 19-1413.1
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2001 Supplement)

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

20 **Article - Health - General**

21 19-1413.

22 Each nursing home shall:

23 (1) Establish a procedure to provide for the smooth and orderly transfer
24 of residents in the event of closure;

25 (2) Provide a 30-day notice to residents and their families or guardians
26 prior to closure of the nursing home unless the Department waives the notice
27 requirement;

1 (3) Provide a 15-day notice to residents and their families or guardians
2 prior to termination of public funding unless the Department waives the notice
3 requirement; and

4 (4) Immediately notify, if known, a resident's family or guardian of:

5 (i) An accident involving the resident which results in injury and
6 has the potential for requiring physician intervention;

7 (ii) A significant change in the resident's physical, mental, or
8 psychosocial status; or

9 (iii) A need to alter the resident's treatment significantly.

10 19-1413.1.

11 A PERSON WHO VIOLATES § 19-1413(2) OF THIS SUBTITLE IS SUBJECT TO:

12 (1) A FINE NOT EXCEEDING \$50,000; AND

13 (2) THE COST OF REIMBURSING THE OFFICE OF HEALTH CARE QUALITY
14 FOR EXPENSES INCURRED BY THE OFFICE IN ENSURING A SMOOTH AND ORDERLY
15 TRANSITION OF RESIDENTS, INCLUDING PAYROLL EXPENSES.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2002.