
By: **Senator Collins**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Facilities - Alzheimer's Special Care Unit or Program -**
3 **Disclosure of Services**

4 FOR the purpose of requiring certain facilities to disclose certain information about
5 the services of certain Alzheimer's Special Care Units or Programs; requiring
6 certain disclosures be made to certain persons and a certain office in the
7 Department of Health and Mental Hygiene; requiring that all disclosures made
8 to a certain office be in writing; requiring that certain disclosures made to
9 certain persons be in writing, if requested; requiring the Unit or Program
10 making certain disclosures to include certain information; requiring the Office
11 of Health Care Quality to examine and verify the accuracy of certain records as
12 part of certain facility's license renewal procedure; requiring the Office of Health
13 Care Quality to take certain actions if the Office makes certain findings; and
14 generally relating to the disclosure of services by Alzheimer's Special Care Units
15 or Programs.

16 BY adding to
17 Article - Health - General
18 Section 20-109
19 Annotated Code of Maryland
20 (2000 Replacement Volume and 2001 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 20-109.

25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
26 INDICATED.

27 (2) "ALZHEIMER'S SPECIAL CARE UNIT OR PROGRAM" MEANS A
28 SECURED OR SEGREGATED SPECIAL UNIT OR PROGRAM SPECIFICALLY DESIGNED

1 FOR INDIVIDUALS WITH A PROBABLE OR CONFIRMED DIAGNOSIS OF ALZHEIMER'S
2 DISEASE OR A RELATED DISORDER.

3 (3) "FACILITY" MEANS ANY NURSING HOME FACILITY, RESIDENTIAL
4 CARE FACILITY, ASSISTED LIVING FACILITY, OR ADULT DAY CARE CENTER THAT
5 PROVIDES OR THAT ADVERTISES, MARKETS, OR OTHERWISE PROMOTES THE
6 FACILITY AS PROVIDING AN ALZHEIMER'S SPECIAL CARE UNIT OR PROGRAM.

7 (B) ANY FACILITY WHICH PROVIDES CARE FOR OR OFFERS TO PROVIDE CARE
8 FOR PERSONS WITH ALZHEIMER'S DISEASE OR A RELATED DISORDER BY MEANS OF
9 AN ALZHEIMER'S SPECIAL CARE UNIT OR PROGRAM, SHALL DISCLOSE HOW THE
10 FORM OF CARE AND TREATMENT PROVIDED BY THE ALZHEIMER'S SPECIAL CARE
11 UNIT OR PROGRAM IS SPECIFICALLY DESIGNED FOR THE SPECIALIZED CARE OF
12 INDIVIDUALS DIAGNOSED WITH ALZHEIMER'S DISEASE OR A RELATED DISORDER.

13 (C) (1) THE DISCLOSURE SHALL BE MADE TO THE OFFICE OF HEALTH CARE
14 QUALITY IN THE DEPARTMENT AND TO ANY PERSON REQUESTING THE
15 INFORMATION ABOUT THE UNIT OR PROGRAM.

16 (2) (I) ALL DISCLOSURES MADE TO THE OFFICE OF HEALTH CARE
17 QUALITY SHALL BE IN WRITING.

18 (II) A DISCLOSURE MADE TO AN INQUIRING PERSON SHALL BE IN
19 WRITING, IF REQUESTED.

20 (D) THE FACILITY DISCLOSING THE PATIENT CARE INFORMATION SHALL
21 EXPLAIN HOW THE ALZHEIMER'S SPECIAL CARE UNIT OR PROGRAM IS DESIGNED TO
22 SATISFY THE SPECIFIC NEEDS OF INDIVIDUALS WITH A DIAGNOSIS OF ALZHEIMER'S
23 DISEASE OR A RELATED DISORDER BY INCLUDING THE FOLLOWING INFORMATION:

24 (1) A WRITTEN STATEMENT OF THE FACILITY'S OVERALL TREATMENT
25 PHILOSOPHY AND ITS MISSION STATEMENT REGARDING THE ALZHEIMER'S SPECIAL
26 CARE UNIT OR PROGRAM;

27 (2) A DESCRIPTION OF THE FACILITY'S PERSONNEL TRAINING, THE
28 CONTENT OF THE TRAINING, AND THE JOB TITLES OF THE STAFF WHO RECEIVE
29 TRAINING FOR THE ALZHEIMER'S SPECIAL CARE UNIT OR PROGRAM;

30 (3) SCREENING, ADMISSION, AND DISCHARGE PROCEDURES AND
31 CRITERIA;

32 (4) ASSESSMENT, PLANNING, IMPLEMENTATION, MONITORING, AND
33 EVALUATION OF CARE PLANS;

34 (5) STAFFING PATTERNS UNIQUE TO THE FACILITY'S ALZHEIMER'S
35 SPECIAL CARE UNIT OR PROGRAM;

36 (6) A DESCRIPTION OF THE PHYSICAL ENVIRONMENT AND ANY DESIGN
37 FEATURES APPROPRIATE TO SUPPORT THE FUNCTIONING OF COGNITIVELY
38 IMPAIRED ADULTS;

1 (7) RESIDENTS' OR PROGRAM PARTICIPANTS' ACTIVITIES INCLUDING,
2 THE FREQUENCY AND TYPE OF ACTIVITIES; AND

3 (8) PROGRAM COSTS INCLUDING, THE COSTS OF CARE AND ANY
4 ADDITIONAL FEES UNIQUE TO THE FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT OR
5 PROGRAM.

6 (E) THE OFFICE OF HEALTH CARE QUALITY SHALL EXAMINE THE RECORDS
7 OF AND VERIFY THE ACCURACY OF A FACILITY'S PATIENT CARE DISCLOSURES AS
8 PART OF THE FACILITY'S LICENSE RENEWAL PROCEDURE.

9 (F) IF THE OFFICE OF HEALTH CARE QUALITY DETERMINES THAT THE
10 FACILITY ADVERTISING, MARKETING, OR OTHERWISE PROMOTING THE ALZHEIMER'S
11 SPECIAL CARE UNIT OR PROGRAM IS NOT PROVIDING THE ADVERTISED SERVICES OR
12 CARE, THE OFFICE OF HEALTH CARE QUALITY SHALL INSTRUCT THE FACILITY TO
13 DEVELOP AND IMPLEMENT A PLAN TO PROVIDE THE SERVICES OR CARE AS
14 ADVERTISED, OR TO CEASE THE ADVERTISING, MARKETING, OR PROMOTING OF THE
15 ALZHEIMER'S SPECIAL CARE UNIT OR PROGRAM.

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