

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 897

(Delegate Hubbard, *et al.*)

Health and Government Operations

Finance

**Developmental Disability Administration - Inspections and Investigations -
Reports**

This bill requires the Developmental Disability Administration (DDA), on request, to make any deficiencies, findings, or conclusions of a complaint investigation available, under specified conditions, to the individual with a developmental disability, the individual's parent or guardian, a lawyer or other authorized person, or the individual's case manager. It also amends current law that allows DDA to inspect each site or office operated by a licensee at any time necessary by specifying that any time necessary includes during an investigation into a reported death and an investigation into an incident report.

Fiscal Summary

State Effect: The bill's requirements could be absorbed within existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: DDA must inspect each site or office operated by a licensee at least once annually and at any other time the administration considers necessary. DDA must keep a report of each inspection and bring any deficiencies to the attention of the licensee's

executive officer or, for an intermediate care facility – mental retardation, the State Planning Council and the State-designated protection and advocacy agency.

Each hospital or residential treatment center must be open to inspections by the Department of Health and Mental Hygiene (DHMH) to investigate and resolve any complaint concerning patient care, safety, medical and nursing supervision, physical environment, sanitation, or dietary matters.

Background: DHMH receives about 4,800 incident reports annually concerning developmentally disabled individuals in State-licensed facilities. DHMH's Office of Health Care Quality (OHCQ) investigates 500 of those complaints each year.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

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