Department of Legislative Services

Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 886 (Chairman, Health and Government Operations Committee)
(By Request − Departmental − Health and Mental Hygiene)

Health and Government Operations

Health - Freestanding Facility Utilizing Major Medical Equipment - Repeal of Licensing Requirements

This departmental bill excludes a freestanding care facility utilizing major medical equipment from Department of Health and Mental Hygiene (DHMH) licensing requirements by removing from the definition of "freestanding ambulatory care facility" a freestanding facility using major medical equipment.

Fiscal Summary

State Effect: The bill would not substantively affect State activities or operations.

Local Effect: None.

Small Business Effect: DHMH has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: A freestanding ambulatory care facility includes: (1) an ambulatory surgical facility; (2) a freestanding endoscopy facility; (3) a freestanding facility using major medical equipment; (4) a kidney dialysis center; or (5) a freestanding birthing center. Major medical equipment includes cardiac catheterization equipment, a computer tomography scanner, a lithotripter, radiation therapy equipment, or a magnetic resonance imager.

DHMH regulations require that any freestanding ambulatory care facility that operates major medical equipment be licensed on a triennial basis. The Office of Health Care Quality must conduct periodic on-site surveys.

Background: There are approximately 157 licensed freestanding facilities operating major medical equipment in the State. Due to budget constraints, DHMH has not conducted surveys of these types of facilities on a regular basis, but has conducted random surveys. As of July 10, 2003, DHMH has not received any quality of care complaints concerning major medical equipment.

Major medical equipment is regulated by other State and federal agencies. For example, the devices that emit radiation are regulated under the Maryland Department of the Environment's Division of Radiation Control. The U.S. Food and Drug Administration's Center for Devices and Radiological Health is responsible for regulating firms that manufacture, repackage, relabel, or import medical devices sold in the U.S.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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mam/jr

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