
By: **Delegate Hixson**

Introduced and read first time: January 21, 2005

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Facilities - Oversight Committee on Quality of Care in Nursing**
3 **Homes - Additional Duties and Sunset Extension**

4 FOR the purpose of altering the duties of the Oversight Committee on Quality of Care
5 in Nursing Homes by adding a duty to consider the quality of care received by
6 the mentally ill in nursing homes; extending the termination date for certain
7 provisions of law that establish the existence and duties of the Oversight
8 Committee on Quality of Care in Nursing Homes; and generally relating to the
9 Oversight Committee on Quality of Care in Nursing Homes.

10 BY repealing and reenacting, with amendments,
11 Article - Health - General
12 Section 19-1409
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Chapter 216 of the Acts of the General Assembly of 2000
17 Section 2

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 19-1409.

22 (a) There is an Oversight Committee on Quality of Care in Nursing Homes.

23 (b) The Oversight Committee shall consist of the following members:

24 (1) Two members of the Senate Finance Committee, appointed by the
25 President of the Senate;

1 (2) Two members of the Senate Education, Health, and Environmental
2 Affairs Committee, appointed by the President of the Senate;

3 (3) Four members of the House Health and Government Operations
4 Committee, appointed by the Speaker of the House;

5 (4) The Secretary of the Department of Aging;

6 (5) The Secretary of the Department of Health and Mental Hygiene, or
7 the Secretary's designee;

8 (6) Three representatives of area agencies on aging, appointed by the
9 Secretary of Aging;

10 (7) One representative from the Health Facilities Association of
11 Maryland;

12 (8) One representative from the Mid-Atlantic Non-Profit Health and
13 Housing Association;

14 (9) One representative of the Hospice Network of Maryland;

15 (10) One representative of the Maryland Hospital Association;

16 (11) One representative of the Service Employees International Union;
17 and

18 (12) Two consumer members appointed by the Governor.

19 (c) The Secretary of Aging shall chair the Oversight Committee.

20 (d) The Oversight Committee shall monitor and evaluate implementation of
21 the recommendations of the Task Force on Quality of Care in Nursing Facilities,
22 created pursuant to Chapters 382 and 383 of the Acts of the General Assembly of 1999
23 and relevant legislation enacted subsequent to the recommendations of the Task
24 Force.

25 (e) The Oversight Committee shall evaluate the progress in improving
26 nursing home care quality statewide, including consideration of:

27 (1) Quality of care standards for nursing homes;

28 (2) QUALITY OF CARE RECEIVED BY THE MENTALLY ILL IN NURSING
29 HOMES;

30 [(2)] (3) Staffing patterns and staffing standards;

31 [(3)] (4) Policies and procedures for inspecting nursing homes and
32 responding to quality of care complaints;

1 [(4)] (5) A comparison of Maryland standards, policies, and procedures
2 to those in other states;

3 [(5)] (6) The labor pool available to fill nursing and nursing aide jobs;
4 and

5 [(6)] (7) State funding mechanisms for nursing homes, including the
6 Medicaid Nursing Home Reimbursement System, and regulation of nursing homes.

7 (f) (1) The Office of Health Care Quality in the Department of Health and
8 Mental Hygiene shall submit a report to the Oversight Committee twice annually on
9 the implementation of the Task Force recommendations and the status of quality of
10 care in nursing homes.

11 (2) The reports shall be submitted on March 1 and September 1 of each
12 year.

13 (g) The Deputy Secretary of Health Care Financing shall report annually to
14 the Oversight Committee on the status of the Medicaid Nursing Home
15 Reimbursement System, which shall include but not be limited to:

16 (1) Elements of the existing methodology that are no longer relevant;

17 (2) Elements of the existing methodology that can be revised;

18 (3) The appropriateness of redesigning the system given changing
19 demographics of the target population; and

20 (4) General Fund and federal fund savings from a system redesign that
21 may be redirected to nursing home staff development in the nursing cost center.

22 (h) The Oversight Committee shall review the reports of the Office of Health
23 Care Quality and the Deputy Secretary of Health Care Financing and develop
24 recommendations to continue improvement in nursing home care.

25 (i) The Oversight Committee shall report its findings and recommendations
26 to the Governor and, subject to § 2-1246 of the State Government Article, to the
27 General Assembly on or before December 1 of each year.

28 (j) The Department of Aging, with assistance from the Department of Health
29 and Mental Hygiene and the Department of Legislative Services, shall provide staff
30 support for the Oversight Committee.

31

Chapter 216 of the Acts of 2000

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2000. It shall remain effective for a period of [5] 6 years and 3 months and,
34 at the end of December 31, [2005] 2006, with no further action required by the
35 General Assembly, this Act shall be abrogated and of no further force and effect.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2005.