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By: **Delegates Murray, Barve, Benson, Boutin, Bronrott, Costa, Cryor, Dumais, Feldman, Franchot, Goldwater, Gordon, Haynes, Heller, Hixson, Hurson, King, Lee, Madaleno, Montgomery, Oaks, Paige, Petzold, Rudolph, Stern, Taylor, F. Turner, V. Turner, and Weldon**

Introduced and read first time: February 7, 2005

Assigned to: Health and Government Operations

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Committee Report: Favorable

House action: Adopted

Read second time: March 8, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Nursing Homes - Family Council - Administrative Functions**

3 FOR the purpose of authorizing nursing homes to assist a family council in the  
 4 administrative functions of operating a family council under certain  
 5 circumstances; providing that the nursing home may assist the family council  
 6 for longer than a certain period of time under certain circumstances; and  
 7 generally relating to family councils and nursing homes.

8 BY repealing and reenacting, without amendments,  
 9 Article - Health - General  
 10 Section 19-1416(a)  
 11 Annotated Code of Maryland  
 12 (2000 Replacement Volume and 2004 Supplement)

13 BY repealing and reenacting, with amendments,  
 14 Article - Health - General  
 15 Section 19-1416(b)  
 16 Annotated Code of Maryland  
 17 (2000 Replacement Volume and 2004 Supplement)

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

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**Article - Health - General**

2 19-1416.

3 (a) In this section, "family council" means a group of individuals who work  
4 together to protect the rights of and improve the quality of life of residents of a  
5 nursing home.

6 (b) (1) A family council for a nursing home may consist of the following  
7 members:

8 (i) Members of a resident's family; or

9 (ii) An individual appointed by the resident, or if the resident is  
10 incapable of appointing an individual, an individual appointed by the resident's  
11 family.

12 (2) (i) Subject to subparagraph (ii) of this paragraph, a family council  
13 may be created by the owner, operator, or staff of a nursing home.

14 (ii) [In] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
15 SUBSECTION, IN order to facilitate the development of a family council, the owner,  
16 operator, or staff of a nursing home may lead the family council for no longer than 6  
17 months at which time the family council shall be led by a member of the family  
18 council.

19 (3) ON THE REQUEST OF A FAMILY COUNCIL, THE NURSING HOME MAY  
20 ASSIST THE FAMILY COUNCIL IN THE ADMINISTRATIVE FUNCTIONS OF OPERATING  
21 THE FAMILY COUNCIL IN A MUTUALLY AGREED UPON MANNER.

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