

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 928

(Howard County Delegation)

Health and Government Operations

Finance

**Howard County - Health Facilities - Notification of County Health Officer and
County Council Ho. Co. 4-05**

This bill requires the Secretary of Health and Mental Hygiene to notify the Howard County health officer when the Department of Health and Mental Hygiene (DHMH) receives a licensure or certification application for a health facility or program that will serve 16 or more individuals. The county health officer must then notify the county council.

Fiscal Summary

State Effect: None. The change would not materially affect governmental operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A county health officer must enforce: (1) State health laws, policies, rules, and regulations; and (2) the rules and regulations the county board of health adopts. The county health officer must enforce in each municipality or special taxing district in the county the county board of health's rules and regulations unless the municipality or district has a charter provision or ordinance that: (1) covers the same subject matter as the county rule or regulation; (2) is at least as restrictive as the county rule or regulation; and (3) includes provisions for enforcement.

Background: DHMH's Office of Health Care Quality (OHCQ) advises that the bill applies to its licensed or certified health care facilities including: adult medical day care centers, dialysis centers, nursing homes, ambulatory surgical centers, residential treatment facilities, assisted living centers, laboratories, outpatient addiction treatment centers, and vocational or day habilitation programs. OHCQ advises that there would only be a few occurrences each year when the office would be required to notify the Howard County health officer of a licensure application.

Additional Information

Prior Introductions: None. However, HB 1138/SB 769 of 2004, would have prohibited the establishment or operation of a methadone treatment facility certified by DHMH within 1,000 feet of an existing school or residential housing area in Howard County. Both bills had hearings and were referred to interim study by the committees that held the hearings, Health and Government Operations and Education, Health, and Environmental Affairs, respectively.

Cross File: None.

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

Fiscal Note History: First Reader - February 23, 2005
mam/hlb Revised - House Third Reader - March 23, 2005

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