

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 770  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Evacuation” and substitute “Emergency”; and strike beginning with “requiring” in line 3 down through “management” in line 10 and substitute “requiring certain regulated facilities to develop an emergency plan; specifying the required contents of the plan; requiring certain State agencies, in consultation with certain State and local emergency management agencies, to adopt certain regulations; requiring certain human service facilities to provide access to certain emergency plans to local organizations for emergency management; defining a certain term; and generally relating to emergency plans for certain regulated facilities”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 down through line 13 on page 2, inclusive, and substitute:

“(A) IN THIS SECTION, “HUMAN SERVICE FACILITY” MEANS A FACILITY LICENSED BY THE STATE THAT IS:

(1) A NURSING HOME, AS DEFINED IN § 19-401 OF THE HEALTH - GENERAL ARTICLE;

(2) AN ASSISTED LIVING FACILITY, AS DEFINED IN § 19-1801 OF THE HEALTH - GENERAL ARTICLE;

(3) A HOSPITAL, AS DEFINED IN § 19-301 OF THE HEALTH - GENERAL ARTICLE;

(4) A RELATED INSTITUTION AS DEFINED IN § 19-301 OF THE HEALTH - GENERAL ARTICLE;

(Over)

(5) A FACILITY AS DEFINED IN § 10-101 OF THE HEALTH - GENERAL ARTICLE;

(6) A GROUP HOME AS DEFINED IN § 7-101 OF THE HEALTH - GENERAL ARTICLE;

(7) AN ALTERNATIVE LIVING UNIT AS DEFINED IN § 7-101 OF THE HEALTH - GENERAL ARTICLE; AND

(8) A STATE RESIDENTIAL CENTER AS DEFINED IN § 7-101 OF THE HEALTH - GENERAL ARTICLE.

(B) A HUMAN SERVICE FACILITY SHALL DEVELOP AN EMERGENCY PLAN.

(C) AN EMERGENCY PLAN SHALL INCLUDE PROCEDURES THAT WILL BE FOLLOWED BEFORE, DURING, AND AFTER AN EMERGENCY TO ADDRESS:

(1) THE EVACUATION, TRANSPORTATION, OR SHELTER-IN-PLACE OF INDIVIDUALS SERVED BY THE HUMAN SERVICE FACILITY;

(2) THE NOTIFICATION TO FAMILIES, STAFF, AND LICENSING AUTHORITIES REGARDING THE ACTION THAT WILL BE TAKEN CONCERNING THE SAFETY AND WELL-BEING OF THE INDIVIDUALS SERVED BY THE HUMAN SERVICE FACILITY;

(3) STAFF COVERAGE, ORGANIZATION, AND ASSIGNMENT OF RESPONSIBILITIES; AND

(4) THE CONTINUITY OF OPERATIONS, INCLUDING:

(I) PROCURING ESSENTIAL GOODS, EQUIPMENT, AND SERVICES; AND

(II) RELOCATION TO ALTERNATE FACILITIES.

(D) (1) ON OR BEFORE NOVEMBER 30, 2007, A STATE AGENCY THAT IS RESPONSIBLE FOR THE LICENSING OF A HUMAN SERVICE FACILITY SHALL ADOPT

REGULATIONS GOVERNING THE DEVELOPMENT OF EMERGENCY PLANS UNDER THIS SECTION.

(2) REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DEVELOPED IN CONSULTATION WITH REPRESENTATIVES OF:

(I) THE MARYLAND EMERGENCY MANAGEMENT AGENCY;

(II) THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS;

(III) LOCAL ORGANIZATIONS FOR EMERGENCY MANAGEMENT;

AND

(IV) HUMAN SERVICE FACILITIES.

(E) FOR PURPOSES OF COORDINATING LOCAL EMERGENCY PLANNING EFFORTS, A HUMAN SERVICE FACILITY SHALL PROVIDE ACCESS TO THE EMERGENCY PLANS DEVELOPED UNDER THIS SECTION TO LOCAL ORGANIZATIONS FOR EMERGENCY MANAGEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That the Governor's Office of Homeland Security shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on or before January 31, 2007, on the implementation of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2006."