
By: **Delegate Rudolph**
 Introduced and read first time: February 6, 2006
 Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
 House action: Adopted
 Read second time: March 8, 2006

CHAPTER _____

1 AN ACT concerning

2 **Emergency Management - ~~Evacuation~~ Emergency Plans for Regulated**
 3 **Facilities**

4 FOR the purpose of ~~requiring local organizations for emergency management to~~
 5 ~~coordinate with certain regulated facilities in the political subdivision to ensure~~
 6 ~~that the regulated residence has an emergency evacuation plan and that the~~
 7 ~~local organization has a copy of the plan; requiring local organizations for~~
 8 ~~emergency management to review the emergency evacuation plans and consult~~
 9 ~~with certain local agencies and private ambulance services for certain purposes;~~
 10 ~~and generally relating to emergency management by local organizations for~~
 11 ~~emergency management~~ requiring certain regulated facilities to develop an
 12 emergency plan; specifying the required contents of the plan; requiring certain
 13 State agencies, in consultation with certain State and local emergency
 14 management agencies, to adopt certain regulations; requiring certain human
 15 service facilities to provide access to certain emergency plans to local
 16 organizations for emergency management; defining a certain term; and
 17 generally relating to emergency plans for certain regulated facilities.

18 BY adding to
 19 Article - Public Safety
 20 Section 14-110.1
 21 Annotated Code of Maryland
 22 (2003 Volume and 2005 Supplement)

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

1 **Article - Public Safety**

2 14-110.1.

3 ~~(A) THIS SECTION APPLIES TO NURSING HOMES, ASSISTED LIVING~~
4 ~~FACILITIES, RESIDENTIAL FACILITIES FOR CHILDREN, AND OTHER REGULATED~~
5 ~~FACILITIES THAT HOUSE THE ELDERLY, FRAIL, DISABLED, INDIVIDUALS WITH~~
6 ~~SPECIAL NEEDS, AND CHILDREN WHO ARE DEPENDENT ON THEIR CAREGIVERS.~~

7 ~~(B) EACH LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT SHALL~~
8 ~~COORDINATE WITH EACH REGULATED FACILITY DESCRIBED IN SUBSECTION (A) OF~~
9 ~~THIS SECTION IN THE POLITICAL SUBDIVISION TO ENSURE THAT:~~

10 ~~(1) THE REGULATED FACILITY HAS AN EMERGENCY EVACUATION PLAN;~~
11 ~~AND~~

12 ~~(2) THE LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT HAS A~~
13 ~~COPY OF THE REGULATED FACILITY'S EMERGENCY EVACUATION PLAN.~~

14 ~~(C) THE LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT SHALL:~~

15 ~~(1) REVIEW THE EMERGENCY EVACUATION PLANS OF THE REGULATED~~
16 ~~FACILITIES IN THE POLITICAL SUBDIVISION TO PLAN FOR AND COORDINATE~~
17 ~~RESOURCE ALLOCATION TO MEET THE EVACUATION NEEDS OF THE REGULATED~~
18 ~~FACILITIES; AND~~

19 ~~(2) CONSULT WITH LOCAL FIRE AND EMERGENCY MEDICAL SERVICES~~
20 ~~AGENCIES AND PRIVATE AMBULANCE SERVICES TO ENSURE COORDINATION OF~~
21 ~~MEDICAL TRANSPORT DURING AN EVACUATION OF A REGULATED FACILITY IN THE~~
22 ~~POLITICAL SUBDIVISION.~~

23 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
24 ~~October 1, 2006.~~

25 ~~(A) IN THIS SECTION, "HUMAN SERVICE FACILITY" MEANS A FACILITY~~
26 ~~LICENSED BY THE STATE THAT IS:~~

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

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

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

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

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

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

2 ARTICLE;

3 (7) AN ALTERNATIVE LIVING UNIT AS DEFINED IN § 7-101 OF THE

4 HEALTH - GENERAL ARTICLE; AND

5 (8) A STATE RESIDENTIAL CENTER AS DEFINED IN § 7-101 OF THE

6 HEALTH - GENERAL ARTICLE.

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

8 (C) AN EMERGENCY PLAN SHALL INCLUDE PROCEDURES THAT WILL BE

9 FOLLOWED BEFORE, DURING, AND AFTER AN EMERGENCY TO ADDRESS:

10 (1) THE EVACUATION, TRANSPORTATION, OR SHELTER-IN-PLACE OF

11 INDIVIDUALS SERVED BY THE HUMAN SERVICE FACILITY;

12 (2) THE NOTIFICATION TO FAMILIES, STAFF, AND LICENSING

13 AUTHORITIES REGARDING THE ACTION THAT WILL BE TAKEN CONCERNING THE

14 SAFETY AND WELL-BEING OF THE INDIVIDUALS SERVED BY THE HUMAN SERVICE

15 FACILITY;

16 (3) STAFF COVERAGE, ORGANIZATION, AND ASSIGNMENT OF

17 RESPONSIBILITIES; AND

18 (4) THE CONTINUITY OF OPERATIONS, INCLUDING:

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

20 AND

21 (II) RELOCATION TO ALTERNATE FACILITIES.

22 (D) (1) ON OR BEFORE NOVEMBER 30, 2007, A STATE AGENCY THAT IS

23 RESPONSIBLE FOR THE LICENSING OF A HUMAN SERVICE FACILITY SHALL ADOPT

24 REGULATIONS GOVERNING THE DEVELOPMENT OF EMERGENCY PLANS UNDER THIS

25 SECTION.

26 (2) REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS

27 SUBSECTION SHALL BE DEVELOPED IN CONSULTATION WITH REPRESENTATIVES OF:

28 (I) THE MARYLAND EMERGENCY MANAGEMENT AGENCY;

29 (II) THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL

30 SERVICES SYSTEMS;

31 (III) LOCAL ORGANIZATIONS FOR EMERGENCY MANAGEMENT; AND

32 (IV) HUMAN SERVICE FACILITIES.

33 (E) FOR PURPOSES OF COORDINATING LOCAL EMERGENCY PLANNING

34 EFFORTS, A HUMAN SERVICE FACILITY SHALL PROVIDE ACCESS TO THE EMERGENCY

1 PLANS DEVELOPED UNDER THIS SECTION TO LOCAL ORGANIZATIONS FOR
2 EMERGENCY MANAGEMENT.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor's Office of
4 Homeland Security shall report to the Senate Education, Health, and Environmental
5 Affairs Committee and the House Health and Government Operations Committee, in
6 accordance with § 2-1246 of the State Government Article, on or before January 31,
7 2007, on the implementation of this Act.

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