

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 770

(Delegate Rudolph)

Health and Government Operations

Education, Health, and Environmental Affairs

Emergency Management - Emergency Plans for Human Service Facilities

This bill requires a “human service facility” to develop an emergency plan that includes procedures that will be followed before, during, and after an emergency to address: (1) the evacuation, transportation, or shelter-in-place of individuals served at the facility; (2) the notification to families, staff, and licensing authorities regarding the action that will be taken concerning the safety and well-being of individuals served at the facility; (3) staff coverage, organization, and assignment of responsibilities; and (4) the continuity of operations.

The bill takes effect June 1, 2006.

Fiscal Summary

State Effect: The development and adoption of regulations could be handled with the existing resources of State agencies responsible for the licensure of the various types of human service facilities.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: The Maryland Emergency Management Agency (MEMA) is responsible for coordinating the State response to any major emergency or disaster. This includes supporting local governments as needed or requested, and coordinating assistance with the Federal Emergency Management Agency. MEMA is organized within the Maryland

Military Department. In an emergency situation MEMA may answer directly to the Governor of the State of Maryland. Local jurisdictions may have local emergency management agencies.

Bill Summary: A human service facility includes: (1) a nursing home; (2) an assisted living facility; (3) a hospital; (4) a related institution; (5) a State-operated institution for mental disease; (6) a group home; (7) an alternative living unit; and (8) a State residential treatment center.

By November 30, 2007, a State agency that is responsible for the licensure of a human service facility must adopt regulations governing the development of emergency plans. Regulations must be developed in consultation with the Maryland Emergency Management Agency, the Maryland Institute for Emergency Medical Services Systems, local organizations for emergency management, and human service facilities. The regulations must include guidelines for the creation of an executive summary of the evacuation procedures of a human service facility that must be provided to a patient's or resident's family member upon request.

DHMH must consult with the providers of licensed community mental health residential programs following the adoption of regulations to implement the bill in order to evaluate whether the bill's provisions should apply to licensed community mental health residential programs.

The Governor's Office of Homeland Security must report to specified legislative committees by January 1, 2007 on the bill's implementation.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Department of Human Resources, Baltimore County, Department of Health and Mental Hygiene, Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2006
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