

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1010 (Delegate McDonough, *et al.*)
Health and Government Operations

Nursing Homes - Health Care Quality Disclosure Form - Requirements

This bill requires a nursing home to develop and make available a Health Care Quality Disclosure Form to all residents and their family members, legal guardians, and other interested parties.

Fiscal Summary

State Effect: None. The bill pertains exclusively to private sector activities.

Local Effect: None.

Small Business Effect: Potential meaningful. Nursing homes that are small businesses could incur additional administrative costs to compile and maintain paper and electronic records on health care quality disclosure forms.

Analysis

Bill Summary: The form is to provide a public, standardized, and verifiable means by which a family member, legal guardian, or other interested party may send a written communication, including questions, concerns about care, and other items of concern, to the nursing home.

Each completed form must be signed by the family member, legal guardian, or interested party as well as the nursing home's designated representative. A nursing home must create and maintain a public correspondence file and a regulatory correspondence file that include a copy of each completed form filed with the nursing home. The records in the public file must omit any identifying information about an individual resident. Residents,

prospective residents, family members, legal guardians, and other interested parties must have access to the public correspondence file at all times. The records are subject to inspection by licensing authorities.

An electronic copy of each completed form must be entered into a secure database. One representative of a resident must be given a secure pass code to enter the database and view the information from the completed forms.

Current Law: A family council is a group of individuals who work together to protect the rights of and improve the quality of life of residents of a nursing home. A nursing home must create and maintain a public correspondence file and a regulatory correspondence file for communications with a family council. The public file may be reviewed by a resident, prospective resident, or a representative during normal business hours and at any other time the nursing home agrees to make the public file available.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Office of Health Care Quality, Medicaid), Department of Legislative Services

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