

HOUSE BILL 807

J3, O2

(8lr2236)

ENROLLED BILL

—Health and Government Operations/Finance—

Introduced by **Delegates James, Haynes, ~~and Hubbard~~ Hubbard, Donoghue, Kach, McDonough, Montgomery, and Riley**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Task Force to Study Financial Matters Relating to Long-Term Care Facilities**

3 FOR the purpose of establishing a Task Force to Study Financial Matters Relating to
4 Long-Term Care Facilities; providing for the membership and duties of the
5 Task Force; providing for the designation of cochairs of the Task Force;
6 requiring the Department of Legislative Services to provide staff for the Task
7 Force; prohibiting members of the Task Force from receiving certain
8 compensation; authorizing a member to receive certain reimbursement;
9 requiring the Task Force to report its findings and recommendations to the
10 Governor and General Assembly on or before ~~a certain date~~ certain dates;
11 providing for the termination of this Act; and generally relating to the Task
12 Force to study financial matters relating to long-term care facilities.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That:

3 (a) There is a Task Force to Study Financial Matters Relating to Long-Term
4 Care Facilities.

5 (b) The Task Force consists of the following members:

6 (1) ~~Two members~~ One member of the Senate of Maryland, ~~including~~
7 ~~one member of the Senate Finance Committee and one member of the Senate Budget~~
8 ~~and Taxation Committee~~, appointed by the President of the Senate;

9 (2) ~~Two members~~ One member of the House of Delegates, ~~including~~
10 ~~one member from the House Health and Government Operations Committee and one~~
11 ~~member from the House Appropriations Committee~~, appointed by the Speaker of the
12 House;

13 (3) The Attorney General, or the Attorney General's designee;

14 (4) The Secretary of Aging, or the Secretary's designee;

15 (5) The Secretary of Health and Mental Hygiene, or the Secretary's
16 designee;

17 (6) The Secretary of Disabilities, or the Secretary's designee; ~~and~~

18 (7) The Executive Director of the Maryland Health Care Commission,
19 or the Executive Director's designee; and

20 ~~(7)~~ (8) The following members, appointed by the Governor:

21 (i) ~~One representative of the Health Facilities Association of~~
22 ~~Maryland;~~

23 (ii) ~~One representative of Mid-Atlantic Lifespan; and~~

24 (iii) ~~One representative of a continuing care retirement~~
25 ~~community~~ A practicing Maryland attorney who has expertise in health care and has
26 represented nursing homes in Maryland;

27 (ii) One representative of each of the following providers:

28 1. Continuing care retirement community;

29 2. Independently owned nursing facility;

30 3. Nonprofit nursing facility;

- 1 4. Direct care nursing home workers; and
- 2 5. Entity that owns three or more nursing facilities; and
- 3 (iii) One representative of each of the following organizations:
- 4 1. Health Facilities Association of Maryland;
- 5 2. Mid-Atlantic Lifespan;
- 6 3. AARP;
- 7 4. Alzheimer's Association;
- 8 5. United Seniors of Maryland;
- 9 6. A financial institution that specializes in health care
10 financing; and
- 11 7. Voices for Quality Care.

12 (c) ~~The President of the Senate and the Speaker of the House of Delegates~~
13 ~~jointly shall designate a Senator and Delegate each to~~ Senate member and the House of
14 Delegates member shall serve as cochairs.

15 (d) The Department of Legislative Services shall provide staff for the Task
16 Force.

17 (e) A member of the Task Force may not receive compensation for serving as
18 a member of the Task Force but is entitled to reimbursement for expenses under the
19 Standard State Travel Regulations, as provided in the State budget.

20 (f) The Task Force shall study financial matters relating to long-term care
21 facilities, including:

22 (1) ~~Disclosure of ownership of long-term care facilities;~~

23 (2) ~~Expanding the definition of controlling interest based on shifts in~~
24 ~~ownership structures to include all subsidiary operators;~~

25 (3) ~~Developing financial triggers under which long-term care facilities~~
26 ~~must disclose impending financial difficulty; and~~

27 (4) Whether there are trends in ownership of long-term care facilities
28 in Maryland in comparison to any national trends regarding long-term care facility
29 ownership;

1 (2) Whether any trends in long-term care facility ownership impact
2 the quality of care offered to residents of long-term care facilities;

3 (3) Whether the Department of Health and Mental Hygiene should
4 assert limitations or restrictions on certain types of ownership of long-term care
5 facilities;

6 (4) Whether current laws governing ownership of long-term care
7 facilities should be amended;

8 (5) Whether long-term care facilities should be required to have
9 liability insurance; and

10 (6) Funding mechanisms for implementing recommendations of the
11 Task Force that would require a State agency or division to acquire specific resources
12 or expertise to address issues raised by the Task Force.

13 (g) (1) On or before ~~December 1~~ July 1, 2009, the Task Force shall submit
14 ~~a final~~ an interim report of its findings and recommendations to the Governor and, in
15 accordance with § 2-1246 of the State Government Article, the General Assembly.

16 (2) On or before June 1, 2010, the Task Force shall submit a final
17 report of its findings and recommendations to the Governor and, in accordance with §
18 2-1246 of the State Government Article, the General Assembly.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2008. It shall remain effective for a period of 2 years and, at the end of June 30,
21 2010, with no further action required by the General Assembly, this Act shall be
22 abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.