

HOUSE BILL 1351

O2, J3

8lr1876

By: **Delegates Love, Beidle, Bobo, V. Clagett, Costa, Gilchrist, Kipke, and Stein**

Introduced and read first time: February 8, 2008

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2008

CHAPTER _____

1 AN ACT concerning

2 **Continuing Care Retirement Communities – Subscriber ~~Complaints and~~**
3 **Investigations Grievances**

4 FOR the purpose of ~~adding to the requirements for a continuing care retirement~~
5 ~~community's internal grievance procedure; shortening the time frame within~~
6 ~~which certain subscribers have the right to meet with management of a~~
7 ~~provider;~~ requiring certain providers to submit certain information to the
8 Department of Aging and to the Health Education and Advocacy Unit in the
9 Office of the Attorney General on ~~a certain basis~~ or before a certain date;
10 ~~authorizing the Health Education and Advocacy Unit to identify, investigate,~~
11 ~~and resolve certain complaints under certain circumstances;~~ and generally
12 relating to continuing care retirement communities and subscriber ~~complaints~~
13 ~~and investigations~~ grievances.

14 ~~BY repealing and reenacting, with amendments,~~
15 ~~Article – Human Services~~
16 ~~Section 10-428~~
17 ~~Annotated Code of Maryland~~
18 ~~(2007 Volume)~~

19 ~~BY adding to~~
20 ~~Article – Human Services~~
21 ~~Section 10-430~~
22 ~~Annotated Code of Maryland~~
23 ~~(2007 Volume)~~

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.



~~IF A SUBSCRIBER IS NOT SATISFIED WITH THE RESOLUTION OF A GRIEVANCE AS DECIDED BY A PROVIDER UNDER § 10-428 OF THIS SUBTITLE, THE SUBSCRIBER MAY SUBMIT A COMPLAINT TO THE HEALTH EDUCATION AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL TO IDENTIFY, INVESTIGATE, AND RESOLVE THE COMPLAINT;~~

~~(1) THAT IS MADE BY OR ON BEHALF OF A SUBSCRIBER; AND~~

~~(2) THAT RELATES TO ANY ACTION, INACTION, OR DECISION OF A PROVIDER OR A REPRESENTATIVE OF A PROVIDER OF LONG TERM CARE SERVICES, A PUBLIC AGENCY, OR A HEALTH AND SOCIAL SERVICE AGENCY THAT MAY ADVERSELY AFFECT THE HEALTH, SAFETY, WELFARE, OR RIGHTS OF THE SUBSCRIBER, INCLUDING THE RIGHTS OF A SUBSCRIBER WITH RESPECT TO THE APPOINTMENT AND ACTIVITIES OF GUARDIANS AND REPRESENTATIVE PAYEES.~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, on or before December 1, 2008, a provider that has obtained a certificate of registration to provide continuing care under Title 10, Subtitle 4 of the Human Services Article shall submit the following information to the Department of Aging and to the Health Education and Advocacy Unit in the Office of the Attorney General:

(1) the number of written grievances submitted to the provider under § 10-428 of the Human Services Article during calendar year 2007;

(2) a brief summary of each grievance filed during calendar year 2007 using only nonindividually identifiable information; and

(3) any action taken by the provider regarding the resolution of each grievance filed during calendar year 2007.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October June 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.