

HB0658/924631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 658
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “-” and substitute “and”; strike beginning with “altering” in line 4 down through “plan;” in line 6; in line 7, strike “a human service facility is” and substitute “certain facilities and centers are”; strike beginning with “human” in line 9 down through “facility” in line 10 and substitute “certain facility or center”; in line 10, after “reimbursement;” insert “requiring certain kidney dialysis centers to have certain emergency plans; requiring certain plans to include certain policies and procedures; requiring certain kidney dialysis centers to provide access to certain plans to certain organizations for emergency management;”; in line 12, after “entities;” insert “requiring the Department to ensure that certain regulations do not conflict with certain federal requirements; defining a certain term;”; in line 13, after “facilities” insert “and kidney dialysis centers”; and after line 18, insert:

“BY adding to

Article – Public Safety

Section 14-110.2

Annotated Code of Maryland

(2011 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; and strike beginning with the semicolon in line 16 down through “**ARTICLE**” in line 18.

AMENDMENT NO. 3

On page 3, after line 24, insert:

“**14-110.2.**”

(Over)

(A) IN THIS SECTION, "KIDNEY DIALYSIS CENTER" HAS THE MEANING STATED IN § 19-3B-01 OF THE HEALTH - GENERAL ARTICLE.

(B) A KIDNEY DIALYSIS CENTER SHALL HAVE AN EMERGENCY PLAN.

(C) AN EMERGENCY PLAN SHALL INCLUDE POLICIES AND PROCEDURES THAT WILL BE FOLLOWED BEFORE, DURING, AND AFTER AN EMERGENCY TO ADDRESS:

(1) THE SAFE MANAGEMENT OF INDIVIDUALS WHO ARE RECEIVING SERVICES AT THE KIDNEY DIALYSIS CENTER WHEN AN EMERGENCY OCCURS;

(2) NOTIFICATION OF PATIENTS, FAMILIES, STAFF, AND LICENSING AUTHORITIES REGARDING ACTIONS THAT WILL BE TAKEN CONCERNING THE PROVISION OF DIALYSIS SERVICES TO THE INDIVIDUALS SERVED BY THE KIDNEY DIALYSIS CENTER;

(3) STAFF COVERAGE, ORGANIZATION, AND ASSIGNMENT OF RESPONSIBILITIES; AND

(4) THE CONTINUITY OF OPERATIONS, INCLUDING PROCEDURES TO SECURE ACCESS TO ESSENTIAL GOODS, EQUIPMENT, AND DIALYSIS SERVICES.

(D) (1) THIS SUBSECTION DOES NOT PROHIBIT A KIDNEY DIALYSIS CENTER FROM APPLYING FOR AND RECEIVING REIMBURSEMENT:

(I) UNDER ANY APPLICABLE INSURANCE POLICY; OR

(II) FROM ANY STATE OR FEDERAL FUNDS THAT MAY BE AVAILABLE DUE TO A DECLARED STATE OR FEDERAL EMERGENCY.

(2) A KIDNEY DIALYSIS CENTER IS SOLELY RESPONSIBLE FOR ANY FINANCIAL OBLIGATION ARISING FROM VOLUNTARY OR MANDATORY ACTIVATION OF ANY ASPECT OF THE EMERGENCY PLAN DEVELOPED BY THE KIDNEY DIALYSIS CENTER UNDER THIS SECTION.

(E) FOR PURPOSES OF COORDINATING LOCAL EMERGENCY PLANNING EFFORTS, A KIDNEY DIALYSIS CENTER SHALL PROVIDE ACCESS TO THE EMERGENCY PLANS DEVELOPED UNDER THIS SECTION TO LOCAL ORGANIZATIONS FOR EMERGENCY MANAGEMENT.”.

AMENDMENT NO. 4

On page 3, in line 25, strike “, on” and substitute “:

(a) On”.

On page 4, after line 2, insert:

“(b) In developing the regulations required under this section, the Department shall ensure that the requirements for emergency plans for kidney dialysis centers under this Act do not conflict with federal requirements of kidney dialysis centers.”.