

## Chapter 202

(Senate Bill 195)

AN ACT concerning

### Hospitals – Notice to Patients – Outpatient Status and Billing Implications

FOR the purpose of requiring a hospital, under certain circumstances, to provide certain notice to a patient of the patient's outpatient status, the billing implications of the outpatient status, and the impact of the outpatient status on the patient's eligibility for Medicare rehabilitation services; requiring the Department of Health and Mental Hygiene, in consultation with certain hospitals, to adopt by regulation ~~standard language for~~ standardized elements to be included in a certain written notice; and generally relating to notices provided by hospitals to patients.

BY adding to

Article – Health – General

Section 19–349.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### Article – Health – General

#### 19–349.1.

(A) A HOSPITAL SHALL PROVIDE ORAL AND WRITTEN NOTICE TO A PATIENT OF THE PATIENT'S OUTPATIENT STATUS, THE BILLING IMPLICATIONS OF THE OUTPATIENT STATUS, AND THE IMPACT OF THE OUTPATIENT STATUS ON THE PATIENT'S ELIGIBILITY FOR MEDICARE REHABILITATION SERVICES IF:

(1) THE PATIENT RECEIVES ON-SITE SERVICES FROM THE HOSPITAL FOR MORE THAN ~~18~~ 23 CONSECUTIVE HOURS;

(2) THE ON-SITE SERVICES RECEIVED BY THE PATIENT INCLUDE A HOSPITAL BED AND MEALS THAT HAVE BEEN PROVIDED IN AN AREA OF THE HOSPITAL OTHER THAN THE EMERGENCY ROOM; AND

(3) THE PATIENT IS CLASSIFIED AS AN OUTPATIENT AT THE HOSPITAL FOR OBSERVATION RATHER THAN AN ADMITTED INPATIENT.

**(B) THE DEPARTMENT, IN CONSULTATION WITH HOSPITALS IN THE STATE, SHALL ADOPT BY REGULATION ~~STANDARD LANGUAGE FOR~~ STANDARDIZED ELEMENTS TO BE INCLUDED IN THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

**Approved by the Governor, May 2, 2013.**