

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 1489 (Delegate Hubbard)
Health and Government Operations

**Department of Health and Mental Hygiene - Mental Health Facilities -
Accreditation**

This bill authorizes the Secretary of Health and Mental Hygiene to consider accreditation by an accrediting organization approved by the Department of Health and Mental Hygiene (DHMH) as sufficient to meet the rules and regulations adopted by the Secretary for facilities that provide treatment or other services to individuals who have mental disorders.

Fiscal Summary

State Effect: Allowing DHMH to consider additional accreditation organizations does not impact governmental finances, but it does provide operational flexibility.

Local Effect: This bill is not expected to materially affect the operations or finances of local governments.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary/Current Law: Under current law, the Secretary is charged with adopting rules and regulations that set standards for (1) eligibility for State funding of local mental health programs; (2) qualifications of staff and quality of professional services of eligible programs; (3) eligibility for receiving services under eligible programs; and (4) accreditation of a facility, which means any public or private clinic, hospital, or other institution that provides treatment or other services to individuals who have mental disorders.

Currently, the Secretary may consider accreditation by *only* the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) or the Commission on Accreditation of Rehabilitation Facilities (CARF) as meeting adopted rules and regulations. The bill removes language specifying accreditation from these two accreditation organizations as sufficient. The bill permits the Secretary to consider accreditation from *any* DHMH-approved organization as meeting adopted rules and regulations regarding community mental health services.

Background: According to its website, The Joint Commission (formerly JCAHO), accredits many types of health care organizations, including hospitals, doctor's offices, nursing homes, office-based surgery centers, behavioral treatment facilities, and providers of home care services. According to the CARF website, it also accredits many types of facilities including those that provide health and human service programs, addiction and substance abuse treatment, rehabilitation, employment for persons with a disability, home and community services, and retirement living.

According to DHMH, when this section of the Health-General Article was initially adopted, CARF and JCAHO were the primary accreditation organizations nationwide for mental health treatment facilities. However, since then, other accreditation organizations that specialize in additional fields have developed. Accreditation fees are generally prorated depending on the size and number of locations of a facility.

Small Business Effect: A small facility that provides mental health services is now able to meet the rules and regulations adopted under these provisions of law based on accreditation by an organization other than JCAHO or CARF. It is likely that the bill increases the number of accreditation organizations accepted by DHMH, thus making it easier for facilities to gain eligibility for State funding.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, The Joint Commission, Commission on Accreditation of Rehabilitation Facilities, Department of Legislative Services

Fiscal Note History: First Reader - March 14, 2014
mam/ljm

Analysis by: Kathleen P. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510