

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 16
Finance

(Senator Muse)

Health Care Facilities - Nursing Homes - Limit on Residents per Multiple
Occupancy Bedroom

This bill prohibits a nursing home constructed after October 1, 2018, from allowing more than two residents to occupy a multiple occupancy bedroom.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law/Background: Statute does not limit the number of residents that may occupy a multiple-occupancy bedroom in a nursing home. However, federal regulations that apply to all facilities accepting Medicaid or Medicare funds specify that facilities that (1) receive approval of *construction or reconstruction* plans from State and local authorities or (2) are *newly certified* after November 28, 2016, may not accommodate more than two residents per bedroom. Under no circumstance may a bedroom accommodate more than four residents.

The [State Health Plan for Facilities and Services](#) also requires an applicant for a certificate of need (CON) to *newly construct* a nursing home to develop rooms with no more than two beds for each patient room. Generally, the CON program requires review and approval

of certain types of proposed health care facility and service projects by the Maryland Health Care Commission and is intended to ensure that new health care facilities and services are developed only as needed.

Additional State regulations specify that a single-bed room in a nursing home must be a minimum of 100 square feet, and that a multiple-bed room must be a minimum of 80 square feet per bed. These regulations also include an agency note that the recommended size for multiple-bed rooms is 100 square feet per bed, and for single-bed rooms, the recommended size is 125 square feet per bed.

The Office of Health Care Quality advises that, as of January 2018, 227 nursing homes are licensed to operate in Maryland. Of these, 25 facilities have 50 or fewer total beds, 54 facilities have between 51 and 100 beds, 132 facilities have between 101 and 200 beds, and 16 facilities have 201 beds or more.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - January 24, 2018
mm/jc

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