

# HOUSE BILL 674

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11r2525  
CF SB 704

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By: **Delegate Valentino-Smith**

Introduced and read first time: January 26, 2021

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Nursing Homes – Transfer of Ownership – ~~Site Visits and~~ Surveys**

3 FOR the purpose of requiring the Maryland Department of Health to ~~conduct site visits~~  
4 ~~and~~ conduct a certain full ~~surveys~~ survey and follow-up survey, within certain time  
5 periods, of a licensed nursing home if the ownership of the nursing home is  
6 transferred to a person that does not own or operate another nursing home in the  
7 State at the time of the transfer; and generally relating to nursing home ~~site visits~~  
8 ~~and~~ surveys.

9 BY repealing and reenacting, with amendments,  
10 Article – Health – General  
11 Section 19–1408  
12 Annotated Code of Maryland  
13 (2019 Replacement Volume and 2020 Supplement)

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

16 **Article – Health – General**

17 19–1408.

18 (a) (1) **[The] SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE**  
19 Department shall make a site visit and conduct a full survey of each licensed nursing home  
20 at least once per calendar year.

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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.



1 (2) Unless otherwise required by federal law, all surveys shall be  
2 unannounced.

3 (b) (1) Subject to paragraph (2) of this subsection, the Department shall  
4 initiate an investigation of a nursing home complaint alleging actual harm within 10  
5 business days after receiving the complaint.

6 (2) If the Department receives a complaint against a nursing home alleging  
7 immediate jeopardy to a resident, the Department:

8 (i) Shall make every effort to investigate the complaint within 24  
9 hours after receiving the complaint; and

10 (ii) Shall investigate the complaint not later than 48 hours after  
11 receiving the complaint.

12 (C) IF OWNERSHIP OF A LICENSED NURSING HOME IS TRANSFERRED TO A  
13 PERSON THAT DOES NOT OWN OR OPERATE ANOTHER NURSING HOME IN THE STATE  
14 AT THE TIME OF THE TRANSFER, THE DEPARTMENT SHALL ~~MAKE SITE VISITS AND~~  
15 ~~CONDUCT A FULL SURVEY OF THE LICENSED NURSING HOME~~ CONDUCT:

16 ~~(1) WITHIN 1 MONTH AFTER THE DATE OF TRANSFER;~~

17 ~~(2) (1)~~ WITHIN THE FIRST FULL SURVEY OF THE LICENSED  
18 NURSING HOME AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION WITHIN 3  
19 MONTHS AFTER THE DATE OF TRANSFER; AND

20 ~~(3) (2)~~ WITHIN 6 MONTHS AFTER THE DATE OF TRANSFER AN  
21 UNANNOUNCED, ON-SITE FOLLOW-UP SURVEY OF THE LICENSED NURSING HOME  
22 THAT COVERS ANY DEFICIENCIES NOTED IN THE FULL SURVEY WITHIN 120 DAYS  
23 AFTER THE FULL SURVEY WAS COMPLETED.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2021.