

SENATE BILL 704

J3

11r2526
CF HB 674

By: **Senators Beidle, Augustine, and Hershey**
Introduced and read first time: February 3, 2021
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 22, 2021

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 a certain follow-up survey, within
5 certain time periods, of a licensed nursing home if the ownership of the nursing home
6 is 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.

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 NURSING~~
18 HOME AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION WITHIN 3 MONTHS
19 AFTER THE DATE OF TRANSFER; AND

20 ~~(3) (2) WITHIN 6 MONTHS AFTER THE DATE OF TRANSFER AN~~
21 UNANNOUNCED, ONSITE 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.