This bill requires each nursing home and assisted living program in Washington County to establish policies and procedures to authorize indoor visitation from an “essential caregiver.” A local health officer may be consulted when establishing policies and procedures. A nursing home or assisted living program may restrict or revoke essential caregiver status if the caregiver does not follow rules and policies or the direction of staff.

Fiscal Summary

State Effect: None. The bill only affects local government operations.

Local Effect: None. The Washington County health officer can consult as needed with existing resources. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Essential caregiver” means an individual designated by a patient or resident of a nursing home or assisted living program to advocate or provide additional personalized care for the patient.

Each nursing home and assisted living program must (1) establish policies and procedures for how to designate and use one or more essential caregivers for each patient or resident; (2) consult with the administrator or other staff as appropriate to determine if an individual meets the criteria for an essential caregiver; (3) consult with the resident or patient and essential caregiver to identify a daily schedule; (4) ensure that the scheduling of essential
caregiver visits considers the number of essential caregivers in the facility at any given
time; (5) designate a point of entry where an essential caregiver signs in to the facility and
completes required screening; and (6) require an essential caregiver to abide by the rules
and policies adopted by the facility to ensure patient and resident safety.

An essential caregiver may transport a patient or resident outside the facility for essential
medical appointments. An essential caregiver must inform the facility if the essential
caregiver develops any symptom of a potentially transmissible illness. If a patient or
resident is quarantined, an essential caregiver may not visit the patient or resident until the
quarantine ends.

**Current Law:** An assisted living program is a residential or facility-based program that
provides housing and supportive services, supervision, personalized assistance,
health-related services, or a combination of such services that meets the needs of
individuals who need assistance with the activities of daily living.

A nursing home is a facility that offers non-acute care to patients suffering from a disease,
chronic illness, condition, disability of advanced age, or terminal disease requiring
maximal nursing care without continuous hospital services. Under the Code of Maryland
Regulations, at the time of admission, a resident of a nursing facility must be informed of
the nursing facility’s visitation rules.

**Additional Information**

**Prior Introductions:** HB 962 of 2021 received a hearing a hearing in the House Health
and Government Operations Committee, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Maryland Association of County Health Officers; Washington
County; Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 14, 2022

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