

HB1122/913324/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1122
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Kerr**” and substitute “**Delegates Kerr, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White Holland, and Woods**”; and in line 3, strike “making a contractual agreement for the” and substitute “closing on an”.

AMENDMENT NO. 2

On page 3, in line 30, strike “Acquisition” and substitute “AN ACQUISITION”.

On page 4, in line 6, strike “AND” and substitute “OR”; after line 18, insert:

“(B) A PERSON SHALL PROVIDE NOTICE TO THE COMMISSION AT LEAST 30 DAYS BEFORE THE CLOSING OF A CHANGE OF OWNERSHIP OF A NURSING HOME THAT:

(1) INVOLVES AT LEAST A 5% TRANSFER IN OWNERSHIP INTEREST;

AND

(2) IS NOT AN ACQUISITION THAT REQUIRES APPROVAL UNDER SUBSECTION (C) OF THIS SECTION.”;

in line 19, strike “(B)” and substitute “**(C) (1) THIS SUBSECTION DOES NOT APPLY TO AN ACQUISITION THAT INVOLVES ONLY CHANGES OF OWNERSHIP INTERESTS AMONG EXISTING OWNERS OF A NURSING HOME.**

(2)”;

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in lines 21, 22, 24, 26, 27, and 28, strike “(1)”, “(2)”, “(I)”, “(II)”, “(E)”, and “(C)”, respectively, and substitute “(I)”, “(II)”, “1.”, “2.”, “(F)”, and “(D)”, respectively; in lines 19 and 29, strike “120” and “60”, respectively, and substitute “60” and “45”, respectively; in lines 19 and 20, strike “MAKING A CONTRACTUAL ARRANGEMENT FOR” and substitute “THE CLOSING DATE OF”; in line 22, after “RESIDENTS” insert “, RESIDENT REPRESENTATIVES,”; in the same line, strike “STAFF” and substitute “EMPLOYEES”; and in line 30, after “REQUEST” insert “FROM THE APPLICANT”.

On page 5, in line 2, after “SECRETARY” insert “OR THE SECRETARY’S DESIGNEE”; in lines 8, 15, and 24, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(E)”, “(F)”, and “(G)”, respectively; in lines 8, 13, and 25, strike “(B)”, “(E)”, and “(C)(2)(IV)”, respectively, and substitute “(C)”, “(F)”, and “(D)(2)(IV)”, respectively; in line 10, after “PLAN;” insert “AND”; strike beginning with “WILL” in line 11 down through “(3)” in line 13; in line 21, strike “EMPLOYED AT” and substitute “EMPLOYEES OF”; in line 26, strike “SUBSECTION (D)” and substitute “SUBSECTIONS (E) AND (F)”; in line 27, strike “OR” and substitute “AND”; and in line 28, after “DECISION” insert “WITHIN 60 DAYS AFTER RECEIVING THE COMPLETED REQUEST FROM THE APPLICANT”.

AMENDMENT NO. 3

On page 6, in lines 1, 5, 14, and 22, strike “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in line 1, after “ACQUISITION” insert “OR IMPOSES A CONDITION ON THE APPROVAL OF THE ACQUISITION”; in lines 2 and 8, in each instance, strike “AN INTERESTED” and substitute “A”; in line 5, strike “(F) OR (G)” and substitute “(G) OR (H)”; in lines 13 and 20, in each instance, strike “AND”; in lines 13 and 21, in each instance, after “GENERAL” insert “, AND THE STATE LONG-TERM CARE OMBUDSMAN”; in line 15, strike “EVERY” and substitute “EACH YEAR FOR”; in line 22, after “REGULATIONS” insert “THROUGH AN UPDATE TO THE STATE HEALTH PLAN FOR FACILITIES AND SERVICES”; after line 32, insert:

“(II) 1. IF NECESSARY, ALLOW THE PERSON THAT ACQUIRED OWNERSHIP OF A NURSING HOME TO TEMPORARILY DELICENSE BEDS

FOR AT LEAST 3 YEARS IMMEDIATELY FOLLOWING THE ACQUISITION TO REDUCE THE NUMBER OF RESIDENT ROOMS THAT CONTAIN MORE THAN TWO BEDS; AND

2. AUTHORIZE THE COMMISSION TO EXTEND THE PERIOD THE BEDS ARE TEMPORARILY DELICENSED BEYOND 3 YEARS FOR GOOD CAUSE SHOWN, INCLUDING DEMONSTRATED PROGRESS TOWARD ELIMINATING MULTIBEDDED ROOMS BY EXPANDING THE EXISTING FACILITY OR TRANSFERRING THE BEDS TO ANOTHER FACILITY WITHIN A MERGED ASSET SYSTEM IN THE SAME JURISDICTION;”.

On page 7, in lines 1, 5, and 9, strike “(II)”, “(III)”, and “(2)(III)”, respectively, and substitute “(III)”, “(IV)”, and “(2)(IV)”, respectively; in line 2, strike “FACILITIES” and substitute “NURSING HOMES”; in line 10, strike “FACILITY” and substitute “NURSING HOME”; in line 16, after “OF” insert “AN”; in the same line, after “ACTION,” insert “A”; in line 17, strike “SURVEY, OR PLAN OF CORRECTION” and substitute “OR A DEFICIENCY INVOLVING SERIOUS OR IMMEDIATE THREAT, ACTUAL HARM, OR IMMEDIATE JEOPARDY TO A RESIDENT”; in line 18, strike “, A”; in line 19, after “FINDING” insert “, FOLLOWING A COMPLAINT FILED”; in the same line, strike “OR” and substitute a comma; and in the same line, after “REPRESENTATIVE” insert “, OR A GOVERNMENT AGENCY”.

On page 8, in lines 14, 21, and 23, in each instance, strike the bracket; in line 22, strike “recommendations” and substitute “DECISIONS”; in line 23, strike “§ 19–115” and substitute “§ 19–120.2”; and in line 26, after “2025” insert “to be applicable to acquisitions executed after the adoption of the regulations”.