

SB0376/963822/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 376
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Delegation of Inspection Authority**” and substitute “**Augmentation of Survey Staff**”; and strike beginning with “conduct” in line 4 down through “circumstances” in line 8 and substitute “augment State nursing home survey staff using county funds under certain circumstances; requiring the Maryland Department of Health to initiate a certain memorandum of understanding and develop a certain plan with a requesting county within a certain period of time”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 5 on page 3, inclusive, and substitute:

“(D) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF BY JULY 1, 2026, THE DEPARTMENT IS 6 MONTHS OR MORE BEHIND THE FEDERAL REQUIREMENT OF CONDUCTING NURSING HOME SURVEYS EVERY 15.9 MONTHS ACCORDING TO THE DEPARTMENT’S MOST RECENT DATA, ON REQUEST OF A COUNTY, THE SECRETARY SHALL DELEGATE TO THE COUNTY THE AUTHORITY TO AUGMENT STATE NURSING HOME SURVEY STAFF USING COUNTY FUNDS IN ACCORDANCE WITH THIS SUBSECTION.

(2) WITHIN 45 DAYS AFTER A COUNTY MAKES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL:

(i) INITIATE A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY TO USE COUNTY FUNDS TO CONDUCT SURVEYS AND COMPLAINT INVESTIGATIONS OF NURSING HOMES; AND

(II) DEVELOP A PLAN WITH THE COUNTY ON HOW TO IMPLEMENT THE AUGMENTATION OF STAFF.

(3) A MEMORANDUM OF UNDERSTANDING INITIATED OR A PLAN OF ACTION DEVELOPED UNDER THIS SUBSECTION MAY NOT RESTRICT A COUNTY'S PROGRESSION TO THE NEXT SURVEY TIER IF AN EXEMPTION FROM THE TIERS IS AUTHORIZED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR NURSING HOMES.

(4) THE DEPARTMENT SHALL INCLUDE, AS PART OF THE REPORTING REQUIREMENTS UNDER § 19-308(B)(4) OF THIS TITLE AND § 19-1409(E) OF THIS SUBTITLE:

(I) EACH MEMORANDUM OF UNDERSTANDING INITIATED UNDER THIS SUBSECTION; AND

(II) THE NUMBER OF SURVEYS COMPLETED UNDER THE MEMORANDUM OF UNDERSTANDING INITIATED UNDER THIS SUBSECTION.

(E) BEGINNING JULY 1, 2025, AND EVERY 6 MONTHS THEREAFTER, THE DEPARTMENT SHALL REPORT TO EACH AREA AGENCY ON AGING:

(1) THE NAMES OF EACH NURSING HOME SURVEYED BY THE STATE AND THE DATES OF EACH STATE SURVEY COMPLETED IN THE COUNTY DURING THE IMMEDIATELY PRECEDING 6 MONTHS; AND

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**(2) THE AVERAGE STATEWIDE INTERVAL IN MONTHS BETWEEN
REQUIRED RECERTIFICATION SURVEYS AS COMPARED WITH THE FEDERAL
REQUIREMENT OF 15.9 MONTHS.**

On page 3, in line 7, strike "July" and substitute "June".