

# HOUSE BILL 828

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By: **Delegate Kipke**

Introduced and read first time: January 29, 2025

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Facilities – Rights of Comprehensive and Extended Care Facility**  
3 **Residents – Hospice Comfort Care**

4 FOR the purpose of providing for an exception to the prohibition on a comprehensive care  
5 facility and an extended care facility using physical and chemical restraints on  
6 certain residents for sedatives, anti-anxiety medication, bed rails, and geri chairs  
7 authorized by a prescriber for patients receiving hospice care; and generally relating  
8 to the rights of residents at comprehensive and extended care facilities.

9 BY repealing and reenacting, without amendments,  
10 Article – Health – General  
11 Section 19–343(a)  
12 Annotated Code of Maryland  
13 (2023 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Health – General  
16 Section 19–343(b)  
17 Annotated Code of Maryland  
18 (2023 Replacement Volume and 2024 Supplement)

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

21 **Article – Health – General**

22 19–343.

23 (a) In this section and §§ 19–344, 19–345, 19–345.1, 19–345.2, and 19–345.3 of  
24 this subtitle, “facility” means a related institution that, under the rules and regulations of  
25 the Department, is a comprehensive care facility or an extended care facility.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) The General Assembly intends to promote the interests and well-being  
2 of each resident of a facility.

3 (2) It is the policy of this State that, in addition to any other rights, each  
4 resident of a facility has the following basic rights:

5 (i) The right to be treated with consideration, respect, and full  
6 recognition of human dignity and individuality;

7 (ii) The right to receive treatment, care, and services that are  
8 adequate, appropriate, and in compliance with relevant State and federal laws, rules, and  
9 regulations;

10 (iii) The right to privacy;

11 (iv) The right to be free from mental and physical abuse;

12 (v) The right to notice, procedural fairness, and humane treatment  
13 when being transferred or discharged from a facility;

14 (vi) The right to participate in decision making regarding transitions  
15 in care, including a transfer or discharge from a facility;

16 (vii) The right to expect and receive appropriate assessment,  
17 management, and treatment of pain as an integral component of the patient's care;

18 (viii) The right to be free from physical and chemical restraints, except  
19 for [restraints]:

20 1. **RESTRAINTS** that a physician authorizes for a clearly  
21 indicated medical need; **OR**

22 2. **SEDATIVES, ANTI-ANXIETY MEDICATION, A BED RAIL,**  
23 **OR A GERI CHAIR ORDERED OR AUTHORIZED BY A PRESCRIBER, AND USED IN**  
24 **COMPLIANCE WITH THE ORDER, FOR A PATIENT RECEIVING HOSPICE CARE;**

25 (ix) The right to receive respect and privacy in a medical care  
26 program; and

27 (x) The right to manage personal financial affairs.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2025.