

# HOUSE BILL 442

J3, J2

6lr1742  
CF SB 293

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By: **Delegates Kaufman, Embry, Patterson, Ruff, Wims, and Woorman**

Introduced and read first time: January 22, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Professional Liability Insurance Coverage – Nursing Homes, Assisted Living**  
3 **Facilities, and Nurse Midwives – Disclosure**

4 FOR the purpose of requiring nursing homes, assisted living programs, and nurse midwives  
5 to notify certain individuals at certain times if the nursing home, assisted living  
6 program, or nurse midwife either does not maintain professional liability insurance  
7 or professional liability insurance coverage has lapsed and has not been renewed;  
8 and generally relating to professional liability insurance disclosures.

9 BY repealing and reenacting, without amendments,  
10 Article – Health – General  
11 Section 19–1401(a) and (e) and 19–1801  
12 Annotated Code of Maryland  
13 (2023 Replacement Volume and 2025 Supplement)

14 BY adding to  
15 Article – Health – General  
16 Section 19–1417 and 19–1808.1  
17 Annotated Code of Maryland  
18 (2023 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Health – General  
21 Section 19–1417  
22 Annotated Code of Maryland  
23 (2023 Replacement Volume and 2025 Supplement)

24 BY adding to  
25 Article – Health Occupations  
26 Section 8–604  
27 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2021 Replacement Volume and 2025 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

3 That the Laws of Maryland read as follows:

4 **Article – Health – General**

5 19–1401.

6 (a) In this subtitle the following words have the meanings indicated.

7 (e) (1) “Nursing home” means a facility that offers nonacute inpatient care to  
8 patients suffering from a disease, chronic illness, condition, disability of advanced age, or  
9 terminal disease requiring maximal nursing care without continuous hospital services and  
10 who require medical services and nursing services rendered by or under the supervision of  
11 a licensed nurse together with convalescent, restorative, or rehabilitative services.

12 (2) “Nursing home” does not mean a facility offering domiciliary care or  
13 personal care as those terms are defined in § 19–301 of this title.

14 **19–1417.**

15 (A) EACH NURSING HOME IN THE STATE SHALL NOTIFY EACH RESIDENT  
16 AND PROSPECTIVE RESIDENT IN WRITING OR BY WRITTEN ELECTRONIC  
17 COMMUNICATION IF:

18 (1) THE NURSING HOME DOES NOT MAINTAIN PROFESSIONAL  
19 LIABILITY INSURANCE COVERAGE; OR

20 (2) THE NURSING HOME’S PROFESSIONAL LIABILITY INSURANCE  
21 COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND HAS NOT BEEN RENEWED.

22 (B) THE NOTIFICATION UNDER SUBSECTION (A) OF THIS SECTION SHALL  
23 BE:

24 (1) (I) PROVIDED TO A PROSPECTIVE RESIDENT:

25 1. AT THE FIRST VISIT BY THE PROSPECTIVE RESIDENT  
26 DURING ANY PERIOD DURING WHICH THE NURSING HOME DOES NOT MAINTAIN  
27 PROFESSIONAL LIABILITY COVERAGE; AND

28 2. IF THE NURSING HOME DOES NOT MAINTAIN  
29 PROFESSIONAL LIABILITY INSURANCE AT THE TIME THE PROSPECTIVE RESIDENT  
30 APPLIES FOR ADMISSION, AT THE TIME OF APPLICATION; AND

4 (2) SIGNED BY:

5 (I) THE PROSPECTIVE RESIDENT AT THE TIME OF  
6 APPLICATION FOR ADMISSION; OR

11 (c) EACH NURSING HOME OPERATING IN THE STATE THAT DOES NOT  
12 MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL POST IN A  
13 CONSPICUOUS PLACE VISIBLE TO RESIDENTS AND GUESTS THAT THE NURSING  
14 HOME DOES NOT MAINTAIN PROFESSIONAL LIABILITY COVERAGE.

15 [19-1417.] 19-1418.

16 This subtitle may be cited as the "Maryland Nursing Home Quality Assurance Act".

17 19-1801.

18 In this subtitle:

25 (2) "Assisted living program" does not include:

26 (i) A nursing home, as defined under § 19-1401 of this title;

27 (ii) A State facility, as defined under § 10-101 of this article;

(iii) A program licensed by the Department under Title 7 or Title 10 of this article;

8 19-1808.1.

9                   (A) EACH ASSISTED LIVING PROGRAM IN THE STATE SHALL NOTIFY A  
10 RESIDENT OR PROSPECTIVE RESIDENT IN WRITING OR BY WRITTEN ELECTRONIC  
11 COMMUNICATION IF:

12 (1) THE ASSISTED LIVING PROGRAM DOES NOT MAINTAIN  
13 PROFESSIONAL LIABILITY INSURANCE COVERAGE; OR

17                   **(B) THE NOTIFICATION UNDER SUBSECTION (A) OF THIS SECTION SHALL**  
18                   **BE:**

**19 (1) (i) PROVIDED TO A PROSPECTIVE RESIDENT:**

29 (2) SIGNED BY:

1 (I) THE PROSPECTIVE RESIDENT AT THE TIME OF  
2 APPLICATION FOR ADMISSION; OR

(II) THE RESIDENT AT THE TIME THE NOTIFICATION OF THE LAPSE IN COVERAGE IS PROVIDED UNDER ITEM (1)(II) OF THIS SUBSECTION; AND

5 (3) RETAINED BY THE ASSISTED LIVING PROGRAM AS PART OF THE  
6 ASSISTED LIVING PROGRAM'S RECORDS.

7 (C) EACH FACILITY-BASED ASSISTED LIVING PROGRAM IN THE STATE THAT  
8 DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL POST  
9 A NOTIFICATION IN A CONSPICUOUS PLACE VISIBLE TO RESIDENTS AND GUESTS  
10 THAT THE ASSISTED LIVING PROGRAM DOES NOT MAINTAIN PROFESSIONAL  
11 LIABILITY INSURANCE.

## Article – Health Occupations

13 8-604.

14 (A) EACH NURSE MIDWIFE PRACTICING AS A NURSE MIDWIFE IN THE STATE  
15 SHALL NOTIFY A PATIENT IN WRITING OR BY WRITTEN ELECTRONIC  
16 COMMUNICATION IF:

17 (1) THE NURSE MIDWIFE DOES NOT MAINTAIN PROFESSIONAL  
18 LIABILITY INSURANCE COVERAGE; OR

21 (B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER  
22 SUBSECTION (A) OF THIS SECTION SHALL BE:

23 (1) PROVIDED:

5 (C) EACH NURSE MIDWIFE PRACTICING AS A NURSE MIDWIFE IN THE STATE  
6 WHO DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL  
7 POST THIS INFORMATION IN A CONSPICUOUS LOCATION IN THE NURSE MIDWIFE'S  
8 PLACE OF PRACTICE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2026.