

Chapter 680

(Senate Bill 376)

AN ACT concerning

~~Health Facilities – Delegation of Inspection Authority~~ Maryland Department of Health and Office of Health Care Quality – Nursing Homes Home Inspections – Reporting

FOR the purpose of requiring ~~the Secretary of Health, on request of a county, to delegate to the county the authority to conduct site visits and full surveys and complaint investigations of nursing homes; requiring the Maryland Department of Health to execute a certain memorandum of understanding with a requesting county within a certain period of time; requiring that the Maryland Department of Health and certain counties equally share certain costs under certain circumstances; and generally relating to the inspection of nursing homes and the delegation of authority~~ the Maryland Department of Health to report quarterly on disaggregated data regarding nursing home inspections in each county; requiring the Office of Health Care Quality to report to the local area agency on aging for each county the name of each nursing home in the county that was surveyed during a certain period and the date each survey was conducted; and generally relating to reporting on nursing home inspections.

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 19–1408
 Annotated Code of Maryland
 (2023 Replacement Volume and 2024 Supplement)

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

Article – Health – General

19–1408.

(a) (1) Subject to subsection (c) of this section, the Department shall make a site visit and conduct a full survey of each licensed nursing home at least once per calendar year.

(2) Unless otherwise required by federal law, all surveys shall be unannounced.

(b) (1) Subject to paragraph (2) of this subsection, the Department shall initiate an investigation of a nursing home complaint alleging actual harm within 10 business days after receiving the complaint.

(2) If the Department receives a complaint against a nursing home alleging immediate jeopardy to a resident, the Department:

(i) Shall make every effort to investigate the complaint within 24 hours after receiving the complaint; and

(ii) Shall investigate the complaint not later than 48 hours after receiving the complaint.

(c) If ownership of a licensed nursing home is transferred to a person that does not own or operate another nursing home in the State at the time of the transfer, the Department shall conduct:

(1) The first full survey of the licensed nursing home as required under subsection (a) of this section within 3 months after the date of transfer; and

(2) An unannounced, on-site follow-up survey of the licensed nursing home that covers any deficiencies noted in the full survey within 120 days after the full survey was completed.

~~(D) (1) ON REQUEST OF A COUNTY, THE SECRETARY SHALL DELEGATE TO THE COUNTY THE AUTHORITY TO CONDUCT SITE VISITS AND FULL SURVEYS AND COMPLAINT INVESTIGATIONS OF NURSING HOMES AUTHORIZED UNDER THIS SECTION.~~

~~(2) (I) WITHIN 90 DAYS AFTER RECEIVING A REQUEST FROM A COUNTY, THE SECRETARY SHALL EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY TO DELEGATE THE AUTHORITY TO CONDUCT SURVEYS AND COMPLAINT INVESTIGATIONS OF NURSING HOMES AUTHORIZED UNDER THIS SECTION.~~

~~(II) THE MEMORANDUM OF UNDERSTANDING SHALL BE MODELED ON THE MARYLAND DEPARTMENT OF HEALTH STANDARD MEMORANDUM OF UNDERSTANDING INTRA-AGENCY/INTERGOVERNMENTAL AGREEMENT, ENTITLED NURSING HOME FACILITIES, THAT EXISTED BETWEEN THE DEPARTMENT AND MONTGOMERY COUNTY ON JULY 1, 2019.~~

~~(2) (3) THE DEPARTMENT AND THE COUNTY SHALL EQUALLY SHARE THE COSTS OF CONDUCTING SITE VISITS AND FULL SURVEYS DELEGATED BY THE SECRETARY UNDER PARAGRAPH (1) OF THIS SUBSECTION BEGINNING JULY 1, 2025, AND EVERY 3 MONTHS THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE~~

GOVERNMENT ARTICLE, THE NUMBER OF SURVEYS CONDUCTED IN EACH COUNTY, DISAGGREGATED BY THE FOLLOWING TYPES OF SURVEYS:

- (I) STANDARD SURVEY;**
- (II) COMPLAIN SURVEY;**
- (III) FOLLOW-UP SURVEY;**
- (IV) REVISIT SURVEY;**
- (V) SPECIAL FOCUS FACILITY SURVEY;**
- (VI) ABBREVIATED SURVEY; AND**
- (VII) LIFE SAFETY CODE SURVEY.**

(2) BEGINNING JULY 1, 2025, AND EVERY 6 MONTHS THEREAFTER, THE OFFICE OF HEALTH CARE QUALITY SHALL REPORT TO THE LOCAL AREA AGENCY ON AGING FOR EACH COUNTY THE NAME OF EACH NURSING HOME IN THE COUNTY THAT WAS SURVEYED IN THE IMMEDIATELY PRECEDING 6 MONTHS AND THE DATE EACH SURVEY WAS CONDUCTED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ ~~July~~ June 1, 2025. It shall remain effective for a period of 4 years and, at the end of May 31, 2029, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 20, 2025.