

Chapter 159

(Senate Bill 704)

AN ACT concerning

Nursing Homes – Transfer of Ownership – ~~Site Visits and~~ Surveys

FOR the purpose of requiring the Maryland Department of Health to ~~conduct site visits~~ and conduct a certain full ~~surveys~~ survey and a certain follow-up survey, within certain time periods, of a licensed nursing home if the ownership of the 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; and generally relating to nursing home ~~site visits~~ and surveys.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–1408
Annotated Code of Maryland
(2019 Replacement Volume and 2020 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) [The] **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 ~~MAKE SITE VISITS AND CONDUCT A FULL SURVEY OF THE LICENSED NURSING HOME~~ CONDUCT:

~~(1) WITHIN 1 MONTH AFTER THE DATE OF TRANSFER;~~

~~(2) (1) WITHIN~~ (1) WITHIN 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

~~(3) (2) WITHIN 6 MONTHS AFTER THE DATE OF TRANSFER~~ (2) AN UNANNOUNCED, ONSITE 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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Approved by the Governor, May 18, 2021.