

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1033

(Delegate Cullison)

Health and Government Operations

Finance

Office of Health Care Quality – Influenza Virus Immunization Education and
Information – Assisted Living Facilities

This bill requires the Office of Health Care Quality (OHCQ), during an annual inspection, to monitor the compliance of each assisted living facility with the requirement to make available to all residents and employees educational and informational materials relating to immunizations for the influenza virus and pneumococcal disease. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: The bill’s requirements can be handled with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: An “assisted living program” is a residential or facility-based program that provides housing and supportive services, supervision, personalized assistance, health-related services, or a combination of such services that meets the needs of individuals who need assistance with the activities of daily living. In Maryland, assisted living programs are licensed by OHCQ within the Maryland Department of Health. OHCQ must conduct an annual unannounced on-site inspection of each assisted living facility.

With specified exceptions, a “related institution” is an organized institution, environment, or home that (1) maintains conditions or facilities and equipment to provide domiciliary, personal, or nursing care for two or more unrelated individuals who are dependent on the administrator, operator, or proprietor for nursing care or the subsistence of daily living in a safe, sanitary, and healthful environment and (2) admits or retains the individuals for overnight care.

Related institutions must immunize residents and employees against the influenza virus, and immunize residents against pneumococcal disease in accordance with recommendations established by the Advisory Committee on Immunization Practices of the U.S. Centers for Disease Control and Prevention. A resident or employee is not required to receive a vaccine if it is (1) medically contraindicated; (2) against the resident’s or employee’s religious beliefs; or (3) the resident or employee refuses the vaccine (after being fully informed of the health risks associated with not receiving the vaccine).

Additional Information

Prior Introductions: None.

Designated Cross File: SB 707 (Senator Feldman) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2021
an/jc Third Reader - March 22, 2021

Analysis by: Amberly Holcomb

Direct Inquiries to:
(410) 946-5510
(301) 970-5510