

SENATE BILL 813

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By: **Senator Salling**

Introduced and read first time: February 2, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Facilities – Access to Telephones**

3 FOR the purpose of requiring, on or before a certain date, certain health care facilities to
4 implement a program to provide to individuals admitted to the health care facility
5 reasonable access to a telephone; and generally relating to health care facilities and
6 telephone access.

7 BY adding to
8 Article – Health – General
9 Section 19–353.1
10 Annotated Code of Maryland
11 (2023 Replacement Volume)

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

14 **Article – Health – General**

15 **19–353.1.**

16 (A) IN THIS SECTION, “HEALTH CARE FACILITY” MEANS:

17 (1) A HOSPITAL;

18 (2) A LIMITED SERVICE HOSPITAL;

19 (3) A RELATED INSTITUTION;

20 (4) AN INPATIENT FACILITY THAT IS ORGANIZED PRIMARILY TO
21 ASSIST IN THE REHABILITATION OF DISABLED INDIVIDUALS THROUGH AN

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 INTEGRATED PROGRAM OF MEDICAL AND OTHER SERVICES PROVIDED UNDER
2 COMPETENT PROFESSIONAL SUPERVISION; OR

3 (5) A NURSING HOME, AS DEFINED IN § 19-1401 OF THIS TITLE.

4 (B) (1) ON OR BEFORE JANUARY 1, 2025, EACH HEALTH CARE FACILITY
5 SHALL IMPLEMENT A PROGRAM TO PROVIDE EACH INDIVIDUAL ADMITTED TO THE
6 HEALTH CARE FACILITY WITH REASONABLE ACCESS TO A TELEPHONE.

7 (2) THE PROGRAM SHALL:

8 (I) ENSURE THAT EACH INDIVIDUAL ADMITTED TO THE
9 HEALTH CARE FACILITY IS INFORMED OF THE AVAILABILITY OF A TELEPHONE FOR
10 PRIVATE USE;

11 (II) ENSURE THAT A TELEPHONE IS PROVIDED IN THE
12 INDIVIDUAL'S ROOM;

13 (III) ENSURE THAT THE TELEPHONE IS MAINTAINED ON A
14 REGULAR BASIS AND FUNCTIONING;

15 (IV) ENSURE THAT THE TELEPHONE IS CAPABLE OF MAKING
16 OUTGOING AND RECEIVING INCOMING LOCAL AND LONG-DISTANCE CALLS;

17 (V) ENSURE THAT THE TELEPHONE IS ACCESSIBLE FOR USE BY
18 AN INDIVIDUAL WITH A HEARING IMPAIRMENT AND:

19 1. IS HEARING-AID COMPATIBLE; OR

20 2. PROVIDES AN ADEQUATE RANGE OF VOLUME; AND

21 (VI) ESTABLISH A CLEAR AND UNDERSTANDABLE PROCESS FOR:

22 1. AN INDIVIDUAL TO REQUEST OTHER ASSISTIVE
23 COMMUNICATION TECHNOLOGY BASED ON THE INDIVIDUAL'S SPECIFIC
24 COMMUNICATION NEEDS; AND

25 2. AN INDIVIDUAL OR A FAMILY MEMBER OF THE
26 INDIVIDUAL TO FILE A COMPLAINT REGARDING THE PROGRAM ESTABLISHED
27 UNDER THIS SECTION.

28 (C) (1) IF, FOR ANY REASON, AN INDIVIDUAL'S ACCESS TO A TELEPHONE
29 IS LIMITED, THE HEALTH CARE FACILITY SHALL:

1 **(I) DOCUMENT THE LIMITATION AND INCLUDE THE**
2 **DOCUMENTATION AS A PERMANENT PART OF THE INDIVIDUAL’S RECORD;**

3 **(II) SPECIFY THE CIRCUMSTANCES, DURATION, AND ANY**
4 **OTHER RELEVANT FACTORS CONTRIBUTING TO THE LIMITATION; AND**

5 **(III) REVIEW THE LIMITATION AT REGULAR INTERVALS WHILE**
6 **THE LIMITATION REMAINS IN EFFECT.**

7 **(2) IF A LIMITATION ON TELEPHONE ACCESS IS PROLONGED OR MAY**
8 **IMPACT PATIENT CARE, THE HEALTH CARE FACILITY SHALL OBTAIN WRITTEN**
9 **ACKNOWLEDGMENT FROM THE INDIVIDUAL THAT A VALID MEDICAL NEED EXISTS**
10 **FOR THE RESTRICTION.**

11 **(D) EACH HEALTH CARE FACILITY SHALL DOCUMENT AND MAINTAIN EACH**
12 **COMPLAINT FILED UNDER SUBSECTION (B)(2)(VI)2 OF THIS SECTION AND THE**
13 **RESOLUTION OF THE COMPLAINT.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2024.