

HOUSE BILL 1253

J3

4lr2427
CF SB 813

By: **Delegates Metzgar, Buckel, Hornberger, Howard, McComas, and Miller**

Introduced and read first time: February 8, 2024

Assigned to: Health and Government Operations

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 OR IN A PRIVATE AREA THAT IS ACCESSIBLE TO THE
13 INDIVIDUAL;

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

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

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

20 1. IS HEARING-AID COMPATIBLE; OR

21 2. PROVIDES AN ADEQUATE RANGE OF VOLUME; AND

22 (VI) ESTABLISH A CLEAR AND UNDERSTANDABLE PROCESS FOR
23 AN INDIVIDUAL TO REQUEST OTHER ASSISTIVE COMMUNICATION TECHNOLOGY
24 BASED ON THE INDIVIDUAL'S SPECIFIC COMMUNICATION NEEDS.

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

27 (I) DOCUMENT THE LIMITATION AND INCLUDE THE
28 DOCUMENTATION AS A PERMANENT PART OF THE INDIVIDUAL'S RECORD;

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

3 **(III) REVIEW THE LIMITATION AT REGULAR INTERVALS WHILE**
4 **THE LIMITATION REMAINS IN EFFECT.**

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

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