

SENATE BILL 376

J3
SB 825/24 – FIN

5lr1383
CF HB 429

By: **Senator Kramer**

Introduced and read first time: January 17, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Facilities – Delegation of Inspection Authority – Nursing Homes**

3 FOR the purpose of requiring the Secretary of Health, on request of a county, to delegate
4 to the county the authority to conduct site visits and full surveys of nursing homes;
5 requiring that the Maryland Department of Health and certain counties equally
6 share certain costs under certain circumstances; and generally relating to the
7 inspection of nursing homes and the delegation of authority.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 19–1408
11 Annotated Code of Maryland
12 (2023 Replacement Volume and 2024 Supplement)

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

15 **Article – Health – General**

16 19–1408.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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 OF NURSING HOMES UNDER THIS SECTION.

(2) 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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.