

HOUSE BILL 137

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CF SB 144

By: **The Speaker (By Request – Department of Legislative Services)**

Introduced and read first time: January 18, 2010

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Examiners of Nursing Home Administrators – Sunset**
3 **Extension and Program Evaluation**

4 FOR the purpose of continuing the State Board of Examiners of Nursing Home
5 Administrators in accordance with the provisions of the Maryland Program
6 Evaluation Act (sunset law) by extending to a certain date the termination
7 provisions relating to the statutory and regulatory authority of the Board;
8 requiring that an evaluation of the Board and the statutes and regulations that
9 relate to the Board be performed on or before a certain date; requiring the
10 Board to submit a certain report on or before a certain date; and generally
11 relating to the State Board of Examiners of Nursing Home Administrators.

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 9–502
15 Annotated Code of Maryland
16 (2009 Replacement Volume)

17 BY repealing and reenacting, without amendments,
18 Article – State Government
19 Section 8–403(a)
20 Annotated Code of Maryland
21 (2009 Replacement Volume)

22 BY repealing and reenacting, with amendments,
23 Article – State Government
24 Section 8–403(b)(42)
25 Annotated Code of Maryland
26 (2009 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health Occupations**

4 9–502.

5 Subject to the evaluation and reestablishment provisions of the Program
6 Evaluation Act, this title and all rules and regulations adopted under this title shall
7 terminate and be of no effect after July 1, [2013] **2017**.

8 **Article – State Government**

9 8–403.

10 (a) On or before December 15 of the 2nd year before the evaluation date of a
11 governmental activity or unit, the Legislative Policy Committee, based on a
12 preliminary evaluation, may waive as unnecessary the evaluation required under this
13 section.

14 (b) Except as otherwise provided in subsection (a) of this section, on or before
15 the evaluation date for the following governmental activities or units, an evaluation
16 shall be made of the following governmental activities or units and the statutes and
17 regulations that relate to the governmental activities or units:

18 (42) Nursing Home Administrators, State Board of Examiners of
19 (§ 9–201 of the Health Occupations Article: July 1, [2012] **2016**);

20 SECTION 2. AND BE IT FURTHER ENACTED, That on or before October 1,
21 2011, the State Board of Examiners of Nursing Home Administrators shall submit a
22 report to the Senate Finance Committee and the House Health and Government
23 Operations Committee, in accordance with § 2–1246 of the State Government Article,
24 on:

25 (1) a plan to improve the timeliness and functioning of its disciplinary
26 process, including the complaint investigation process;

27 (2) a jointly developed plan to improve communication between the
28 Board and the Department of Aging’s Long Term Care Ombudsman Program;

29 (3) a review of trends in licensing, with a focus on new licenses issued,
30 the stability of renewal of licenses, and licensees on inactive status;

31 (4) implementation of an online renewal process;

32 (5) implementation of the planned database to track deficiency survey
33 reports;

1 (6) implementation of new and revised regulations proposed through
2 the Regulatory Review and Evaluation Process in 2009, including those relating to the
3 Administrator–In–Training program, the disciplinary process, and new causes for
4 disciplinary action; and

5 (7) the additional revenue generated from alterations to the fee
6 structure through proposed regulatory changes.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2010.