

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Sections 871 through 876, inclusive, to be under the new subtitle "Home Health Agencies" be and they are hereby added to Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1975 Supplement) to read as follows:

Article 43 - Health

HOME ~~[[HEATH]]~~ HEALTH AGENCIES

871.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COORDINATED HOME HEALTH CARE" INCLUDES, BUT IS NOT LIMITED TO, ~~[[VISITING NURSE HOME]]~~ NURSING, HOME HEALTH AID SERVICES, LABORATORY SERVICES, PHYSICAL THERAPY SERVICES, MEDICAL SOCIAL SERVICES, NUTRITIONAL AND DIETARY SERVICES, OCCUPATIONAL THERAPY SERVICES, DRUGS, SPEECH PATHOLOGY AND AUDIOLOGY SERVICES AND MEDICALLY NECESSARY SICK ROOM EQUIPMENT AND SUPPLIES.

(C) "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

~~[[(D) "HOME HEALTH AGENCY" MEANS A PUBLIC OR PRIVATE ORGANIZATION (OR A PART OF SUCH ORGANIZATION), OWNED OR OPERATED BY ONE OR MORE PERSONS OR LEGAL ENTITIES WHICH:]]~~

(D) "HOME HEALTH AGENCY" MEANS A HEALTH-RELATED INSTITUTION (OR PART THEREOF), OWNED OR OPERATED BY ONE OR MORE PERSONS OR LEGAL ENTITIES, WHETHER FOR PROFIT OR NON-PROFIT, AS A PUBLIC OR PRIVATE ENTERPRISE, WHICH:

(1) FURNISHES HOME HEALTH CARE SERVICES ~~[[(PRIMARYLY SKILLED NURSING OR THERAPEUTIC IN NATURE)]]~~ DIRECTLY OR THROUGH CONTRACTUAL ARRANGEMENTS TO THE SICK OR DISABLED PERSON IN THE PERSON'S PLACE OF RESIDENCE;

(2) HAS POLICIES ESTABLISHED BY A PROFESSIONAL GROUP (INCLUDING AT LEAST ONE PHYSICIAN, ONE REGISTERED NURSE, ONE REPRESENTATIVE OF AN ADDITIONAL OFFERED SERVICE, ONE CONSUMER REPRESENTATIVE) TO GOVERN SERVICES, AND PROVIDES FOR SUPERVISION OF THESE SERVICES BY A PHYSICIAN ~~[[OR A REGISTERED NURSE]]~~ REGISTERED NURSE, OR AN ALTERNATE PROFESSIONAL, WHO IS SUFFICIENTLY QUALIFIED BY ADVANCED TRAINING, TO SUPERVISE SUCH SERVICES IN A HOSPITAL; AND

(3) MAINTAINS CLINICAL RECORDS ON ALL PATIENTS ~~[[.]]~~;

(4) IS NOT OTHERWISE LICENSED UNDER THIS ARTICLE.