

(2) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND HEALTH CARE COMMISSION, SHALL SPECIFY THOSE JURISDICTIONS IN WHICH A GENERAL HOSPICE IS AUTHORIZED TO PROVIDE HOME-BASED HOSPICE SERVICES.

(3) A GENERAL HOSPICE MAY NOT BE LICENSED TO PROVIDE HOME-BASED HOSPICE SERVICES IN A JURISDICTION UNLESS THE GENERAL HOSPICE OR AN ENTITY ACQUIRED BY THE GENERAL HOSPICE PROVIDED HOME-BASED HOSPICE SERVICES TO A PATIENT IN THE JURISDICTION DURING THE 12-MONTH PERIOD ENDING DECEMBER 31, 2001.

(4) NOTWITHSTANDING PARAGRAPH (3) OF THIS SUBSECTION:

(I) A GENERAL HOSPICE MAY PROVIDE HOME-BASED HOSPICE SERVICES TO A SPECIFIC PATIENT OUTSIDE OF THE JURISDICTIONS IN WHICH THE HOSPICE IS LICENSED IF THE MARYLAND HEALTH CARE COMMISSION APPROVES THE SERVICE PROVISION; AND

(II) A GENERAL HOSPICE THAT IS A HOSPITAL-BASED HOSPICE OR THAT HAD AN AFFILIATION AGREEMENT BEFORE APRIL 5, 2003 WITH A HEALTH CARE FACILITY OR HEALTH CARE SYSTEM MAY SERVE PATIENTS IMMEDIATELY UPON DISCHARGE FROM THE HOSPITAL, HEALTH CARE FACILITY, OR HEALTH CARE SYSTEM, REGARDLESS OF THE JURISDICTION IN WHICH THE PATIENT RESIDES.

(5) UPON THE NOTIFICATION BY THE MARYLAND HEALTH CARE COMMISSION OF THE ISSUANCE OF A CERTIFICATE OF NEED TO A GENERAL HOSPICE, THE SECRETARY SHALL APPEND TO THE GENERAL HOSPICE LICENSE ANY ADDITIONAL JURISDICTIONS IN WHICH THE GENERAL HOSPICE MAY PROVIDE HOME-BASED HOSPICE SERVICES.

~~(3)~~ ~~(5)~~ (6) The hospice care program to be operated and its medical director shall meet the requirements that the Secretary adopts under this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of Health and Mental Hygiene, in making the initial specification of the jurisdictions in which a general hospice may provide home-based hospice services, shall use the data provided by the Maryland Health Care Commission from the annual hospice survey for calendar year 2001.

(b) For the reporting period beginning January 1, 2003, the Maryland Health Care Commission, in consultation with the Hospice Network of Maryland, shall implement an annual survey of Maryland hospice programs to collect data on the characteristics and utilization of hospice services.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2004, the Maryland Health Care Commission shall:

(1) conduct a study to clarify the existing status of certificates of need or determinations for hospice services in Maryland and, in accordance with § 2-1246 of the State Government Article, report the results of its study to the Senate Finance Committee and the House Health and Government Operations Committee; and