

VETOES

fiscal years shall be funded solely from transfer tax revenues and that general funds previously utilized for administration of this Program shall be reduced accordingly.

SECTION 8 11. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

May 25, 1990

The Honorable R. Clayton Mitchell, Jr.
Speaker of the House of Delegates
State House
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 1474.

As introduced, House Bill 1474 required domiciliary care homes, nursing homes, and private group homes to notify the Department of Health and Mental Hygiene and the Maryland Health Resources Planning Commission at least 60 days prior to closing down or face being fined. The bill was amended later to require domiciliary care homes to provide such notification within "a lesser time period if necessary to be consistent with the cancellation of a Medicaid provider agreement".

The sponsor has requested a veto because of problems with the amendment. Domiciliary care homes cannot enter into provider agreements with Medicaid because the services rendered by such facilities are not covered by the Program. The amendment should have been made applicable to nursing homes and by not including it, a nursing home facility could, by definition, be forced to continue to provide care to patients even though the facility could not receive payment. Since House Bill 1474 does not conform with the Medicaid Provider agreement, it is therefore inconsistent with the State's present Medicaid Reimbursement method. As a result, the sponsor has requested that this legislation be vetoed.

Accordingly, I have vetoed House Bill 1474.

Sincerely,
William Donald Schaefer
Governor

House Bill No. 1474

AN ACT concerning

Domiciliary Care Homes, Nursing Homes, and Private Group Homes – Notice of Closure

FOR the purpose of requiring certain domiciliary care homes, nursing homes, and