

CHAPTER 849

(Senate Bill 711)

AN ACT concerning

Patient Transfers Between Hospitals

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt certain regulations governing the transfer of patients between hospitals; specifying certain minimum requirements to be included in those regulations; ~~providing that the consent of certain persons is not required before transfer; requiring hospitals to adopt certain policies; providing civil penalties to be imposed in a certain manner for failure to comply with certain regulations; providing for the scope of this Act; requiring the Department to adopt certain regulations concerning penalties; providing for certain maximum penalties;~~ and generally relating to patient transfers between hospitals.

BY adding to

Article - Health - General
Section 19-308.2
Annotated Code of Maryland
(1982 Volume and 1985 Supplement)

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

Article - Health - General

19-308.2.

(A) [1] SUBSECTION (B)(1) OF THIS SECTION IS NOT INTENDED TO PREEMPT THE REQUIREMENTS OF § 10-625 OF THIS ARTICLE. ††

[2] THE DEPARTMENT SHALL ADOPT REGULATIONS GUIDELINES, AFTER CONSULTATION WITH THE MARYLAND HOSPITAL ASSOCIATION, GOVERNING THE TRANSFER OF PATIENTS BETWEEN HOSPITALS TO ENSURE THAT TRANSFERS OF PATIENTS BETWEEN HOSPITALS ARE ACCOMPLISHED IN A MEDICALLY APPROPRIATE MANNER AND IN ACCORDANCE WITH THE HEALTH CARE POLICIES OF THE STATE, THAT, AT A MINIMUM, REQUIRE:

†† †† [1] NOTIFICATION TO THE RECEIVING HOSPITAL BEFORE THE TRANSFER AND CONFIRMATION BY THAT HOSPITAL THAT THE PATIENT MEETS THAT HOSPITAL'S ADMISSIONS CRITERIA RELATING TO APPROPRIATE BED, PHYSICIAN, AND OTHER SERVICES NECESSARY TO TREAT THE PATIENT;

††† †† [11] THE USE OF MEDICALLY APPROPRIATE LIFE-SUPPORT MEASURES THAT A REASONABLE AND PRUDENT PHYSICIAN IN