

[(b) The policy statement contained in paragraph (a) shall be posted conspicuously in a public place in all facilities licensed under the provisions of § 560 of this article. Copies of the policy statement shall be furnished the patient and resident upon admittance to the facility.]

(B) DEVOLVING OF RIGHTS.—WHERE CONSISTENT WITH THE NATURE OF THE RIGHT, ALL OF THE ABOVE RIGHTS, PARTICULARLY AS THEY PERTAIN TO A PERSON ADJUDICATED INCOMPETENT IN ACCORDANCE WITH STATE LAW, OR A PATIENT WHO IS FOUND MEDICALLY INCAPABLE BY HIS ATTENDING PHYSICIAN, OR A PATIENT WHO IS UNABLE TO COMMUNICATE WITH OTHERS, SHALL DEVOLVE UPON THE PATIENT'S GUARDIAN, NEXT OF KIN, SPONSORING AGENCY, OR REPRESENTATIVE PAYEE (EXCEPT WHEN THE FACILITY ITSELF IS REPRESENTATIVE PAYEE) SELECTED PURSUANT TO § 205(J) OF THE SOCIAL SECURITY ACT;

[(c) The provisions of this section shall not be construed to restrict any right which any patient or resident has under law.]

(C) NOTICE TO PATIENT.—THE POLICY STATEMENT CONTAINED IN PARAGRAPH (A) SHALL BE POSTED CONSPICUOUSLY IN A PUBLIC PLACE IN ALL SKILLED NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES. COPIES OF THE POLICY STATEMENT SHALL BE FURNISHED TO THE PATIENT OR RESIDENT UPON ADMITTANCE TO THE FACILITY, ALL PATIENTS AND RESIDENTS CURRENTLY RESIDING IN THE FACILITY, AND THE GUARDIAN, NEXT OF KIN, SPONSORING AGENCY, A REPRESENTATIVE PAYEE OF THE PATIENT AND RESIDENT, AND RECEIPTS FOR THE STATEMENT SIGNED BY AFORESAID PARTIES SHALL BE RETAINED IN THE FACILITY'S FILES.

(D) RESPONSIBILITY OF ADMINISTRATOR. — FINAL RESPONSIBILITY FOR IMPLEMENTING ALL PROVISIONS OF THIS SECTION SHALL REST ON THE ADMINISTRATOR OF THE FACILITY.

(E) STAFF TRAINING. —EACH FACILITY SHALL PROVIDE APPROPRIATE STAFF TRAINING TO IMPLEMENT EACH PATIENT'S RIGHT INCLUDED IN PARAGRAPH (A) OF THIS SECTION.

(F) FACILITIES COVERED BY BILL OF RIGHTS. —THE PROVISIONS OF THIS SECTION SHALL APPLY TO INSTITUTIONS LICENSED AS SKILLED NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES UNDER § 560.

(G) ISSUANCE OF REGULATIONS. —REGULATIONS IMPLEMENTING THE PROVISIONS OF THIS SECTION SHALL BE DEVELOPED JOINTLY BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE STATE OFFICE ON AGING AND PROMULGATED WITHIN SIXTY (60) DAYS AFTER THE EFFECTIVE DATE OF THIS LEGISLATION.