

566B.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FACILITY" MEANS ANY INTERMEDIATE CARE FACILITY OR SKILLED NURSING FACILITY.

(3) "INTERMEDIATE CARE FACILITY" MEANS A NURSING FACILITY WHICH MEETS THE STANDARDS FOR CERTIFICATION AND PARTICIPATION IN TITLE XIX OF THE SOCIAL SECURITY ACT AND HAS ENTERED INTO A PROVIDER AGREEMENT WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(4) "LEAVE OF ABSENCE" INCLUDES VISITS WITH FRIENDS OR RELATIVES AND LEAVES TO PARTICIPATE IN STATE APPROVED THERAPEUTIC OR REHABILITATIVE PROGRAMS.

(5) "RECIPIENT" MEANS A PERSON WHO IS CERTIFIED AS ELIGIBLE FOR AND IS RECEIVING MEDICAL ASSISTANCE.

(6) "SKILLED NURSING FACILITY" MEANS A NURSING FACILITY WHICH MEETS THE STANDARDS FOR CERTIFICATION AND PARTICIPATION IN TITLE XVIII OR TITLE XIX OF THE SOCIAL SECURITY ACT AND HAS ENTERED INTO A PROVIDER AGREEMENT WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(B) IN ORDER TO ENSURE THAT BEDS ARE RESERVED FOR RECIPIENTS WHO ARE TEMPORARILY ABSENT FROM INTERMEDIATE CARE FACILITIES OR SKILLED NURSING FACILITIES, THE MARYLAND MEDICAL ASSISTANCE PLAN SHALL INCLUDE THE FOLLOWING PAYMENTS:

(1) IF A PATIENT IS ABSENT FROM A FACILITY DUE TO HOSPITALIZATION FOR AN ACUTE CONDITION, THE FACILITY SHALL RECEIVE PAYMENT FOR EACH DAY THAT THE PATIENT IS HOSPITALIZED, AND A BED IS RESERVED AND MADE AVAILABLE FOR THE PATIENT UPON THAT PATIENT'S RETURN.

(2) IF A PATIENT IS ON LEAVE OF ABSENCE FROM A FACILITY, THE FACILITY SHALL RECEIVE PAYMENT FOR EACH DAY THAT THE PATIENT IS ABSENT, AND A BED IS RESERVED AND MADE AVAILABLE FOR THE PATIENT UPON THAT PATIENT'S RETURN.

(C) PAYMENTS UNDER (B) (1) ~~AND (B) (2)~~ SHALL BE MADE FOR THE MAXIMUM PERIODS ALLOWED UNDER RULES AND REGULATIONS OF THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE. PAYMENTS UNDER (B) (2) SHALL BE MADE FOR A MAXIMUM AGGREGATE OF 10 DAYS IN ANY CALENDAR YEAR.

(D) PAYMENTS REQUIRED UNDER THIS SECTION SHALL BE MADE ACCORDING TO THE PER DIEM PAYMENT PROCEDURES ESTABLISHED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND SHALL NOT BE LESS THAN THE PER DIEM PAYMENTS