

PROVIDE PALLIATIVE CARE TO PATIENTS FOR WHOM THERE IS NO REASONABLE PROSPECT OF CURE AND FOR WHOM A LIFE EXPECTANCY, ESTIMATED BY A LICENSED PHYSICIAN, IS LESS THAN 6 MONTHS. THE PROGRAM PROVIDES PALLIATIVE AND SUPPORTIVE CARE TO PATIENTS AND THEIR FAMILIES TO MEET THE SPECIAL NEEDS ARISING OUT OF PHYSICAL, EMOTIONAL, SPIRITUAL, SOCIAL, AND ECONOMIC STRESSES WHICH ARE EXPERIENCED DURING THE FINAL STAGES OF ILLNESS AND DURING DYING AND BEREAVEMENT.

(C) "SECRETARY" MEANS THE SECRETARY OF HEALTH AND MENTAL HYGIENE.

949.

IT IS SPECIFICALLY INTENDED THAT THIS SUBTITLE SIMPLIFY AND CLARIFY THE LAWS GOVERNING THE USE OF FREESTANDING HOSPICE CARE FACILITIES FOR TERMINALLY ILL PATIENTS WHO DESIRE SUPPORTIVE ENVIRONMENTS, TO ENCOURAGE THE ESTABLISHMENT OF THESE FACILITIES AND TO ENSURE THEIR QUALITY.

950.

(A) A PERSON MAY NOT ESTABLISH, CONDUCT OR OPERATE A FREESTANDING HOSPICE CARE FACILITY WITHIN THIS STATE WITHOUT THE CERTIFICATION REQUIRED IN THIS SECTION.

(B) ANY PERSON DESIRING A CERTIFICATE TO OPERATE A FACILITY SHALL FILE WITH THE SECRETARY A VERIFIED APPLICATION FOR CERTIFICATION SETTING FORTH THE NAME OF THE APPLICANT, STATING THAT THE APPLICANT IS NOT LESS THAN 18 YEARS OF AGE AND OF REPUTABLE AND RESPONSIBLE CHARACTER, THE LOCATION OF THE PROPOSED FACILITY, THE NAME OF THE PERSON IN CHARGE, AND ANY ADDITIONAL INFORMATION THE SECRETARY MAY REQUIRE. ANY PERSON WHO HAS BEEN CONVICTED OF A NURSING HOME OR MEDICAID RELATED FELONY MAY NOT BE ISSUED A CERTIFICATE UNDER THIS SECTION.

(C) A CERTIFICATE OF NEED FROM THE MARYLAND HEALTH PLANNING AND DEVELOPMENT AGENCY ~~MAY-NOT~~ SHALL BE REQUIRED AS A CONDITION TO OBTAINING A CERTIFICATE UNDER THIS SECTION.

(D) EACH APPLICATION FOR A CERTIFICATE TO OPERATE A FACILITY SHALL BE ACCOMPANIED BY A FEE OF \$10. ALL CERTIFICATES ISSUED UNDER THIS SECTION SHALL BE FOR A TERM OF 3 YEARS AND SHALL BE PROVISIONAL IN NATURE PURSUANT TO RULES AND REGULATIONS AS PROMULGATED BY THE SECRETARY IN CONSULTATION WITH THE HOSPICE REIMBURSEMENT STUDY COMMISSION. A FEE MAY NOT BE REFUNDED, AND ALL FEES RECEIVED BY THE SECRETARY UNDER THE PROVISIONS OF THIS SECTION SHALL BE PAID ~~INTO THE STATE TREASURY TO THE CREDIT OF THE SECRETARY FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THIS SUBTITLE.~~ INTO THE GENERAL FUND OF THIS STATE.

(E) THE SECRETARY SHALL PROMULGATE RULES AND REGULATIONS IN CONSULTATION WITH THE HOSPICE REIMBURSEMENT