

(2) If the Director on Aging finds that any such related institution is in violation of any statute, rule, or regulation of any State agency which is directly and specifically charged with the [regulations] REGULATION of any aspect of the institution, he or she shall immediately notify that agency in writing of the findings of fact. If the violation or condition is not corrected within a reasonable time, the Director shall, with the prior approval of the Commission ON AGING, request the State agency to take the steps necessary to bring the institution into compliance, and the agency shall take appropriate action.

(3) (I) THE DIRECTOR ON AGING MAY DELEGATE HIS AUTHORITY UNDER SECTION 5(A) TO THE DIRECTOR OF A LOCAL OFFICE ON AGING IN ACCORDANCE WITH A LOCAL NURSING HOME OMBUDSMAN PROGRAM ESTABLISHED PURSUANT TO REGULATIONS PROMULGATED BY THE STATE DIRECTOR ON AGING.

(II) THE REGULATIONS SHALL PROVIDE FOR:

1. MINIMUM TRAINING REQUIREMENTS FOR ALL PROGRAM STAFF AND VOLUNTEERS;

2. COOPERATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE; AND

3. ANNUAL REVIEW OF ALL OMBUDSMAN ACTIVITIES BY THE STATE OFFICE ON AGING;

4. COMPLAINT REVIEW, INVESTIGATION, AND RESOLUTION PROCEDURES INCLUDING PROVISIONS WHICH ASSURE THE CONFIDENTIALITY OF COMPLAINTS AND THE RIGHT OF PRIVACY OF ANY COMPLAINANT OR RESIDENT OF A RELATED INSTITUTION;

5. MAINTENANCE BY THE LOCAL OMBUDSMAN OF A RECORDKEEPING OR INFORMATION SYSTEM WHICH ASSURES THE CONFIDENTIALITY OF RECORDS OR FILES AND THE RIGHT OF PRIVACY OF ANY COMPLAINANT OR RESIDENT OF A RELATED INSTITUTION; AND

6. ACCESS, REVIEW, AND COPYING OF MEDICAL RECORDS TO THE EXTENT AUTHORIZED BY § 4-302(B) OF THE HEALTH - GENERAL ARTICLE WHEN THE LOCAL OMBUDSMAN IS THE PERSON IN INTEREST OR AS OTHERWISE PROVIDED BY LAW.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved May 4, 1982.