

(1) A PERSON IS OPERATING THE NURSING HOME WITHOUT A LICENSE FOR IT;

(2) THE NURSING HOME WILL BE CLOSED WITHIN 30 DAYS AND ARRANGEMENTS TO RELOCATE ITS RESIDENTS HAVE NOT BEEN APPROVED BY THE SECRETARY;

(3) THE NURSING HOME OR ITS RESIDENTS HAVE BEEN ABANDONED; OR

(4) A SITUATION, PHYSICAL CONDITION, PRACTICE, OR METHOD OF OPERATION PRESENTS AN IMMINENT DANGER OF DEATH OR SERIOUS MENTAL OR PHYSICAL HARM TO THE RESIDENTS OF THE NURSING HOME.

(B) VENUE.

A PETITION UNDER THIS SECTION SHALL BE FILED WITH THE CIRCUIT COURT FOR THE COUNTY WHERE THE NURSING HOME IS LOCATED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 560B(a)(4), (c), (l), (m), and the first sentence of (b)(1).

In subsection (a)(1) of this section, the former specific reference to revocation of a license is deleted as unnecessary in light of the broad reference to operation without a license.

Subsection (a)(4) of this section is revised to incorporate the substance of former Article 43, § 560B(a)(4), which defined "emergency", since that term appeared infrequently in former Article 43, § 560B and, therefore, a separate definition of that term is not needed. See also §§ 19-333 and 19-336 of this subtitle.

Defined terms: "County" § 1-101  
 "License" § 19-301 "Person" §§ 1-101 & 19-301  
 "Nursing home" § 19-333 "Secretary" § 1-101

19-335. HEARING REQUIREMENTS.

(A) IN GENERAL.

(1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE COURT SHALL HOLD A HEARING ON A PETITION UNDER PART V OF THIS SUBTITLE WITHIN 10 DAYS AFTER THE PETITION IS FILED.

(2) THE OWNER OF THE NURSING HOME SHALL BE GIVEN NOTICE OF THE HEARING: