

As to the referenced exceptions, see § 19-403 of this subtitle.

Defined terms: "Department" § 1-101
"Home health agency" § 19-401
"Person" § 1-101

19-406. QUALIFICATIONS OF APPLICANTS.

TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL:

(1) SHOW THAT THE HOME HEALTH AGENCY WILL PROVIDE APPROPRIATE HOME HEALTH CARE TO PATIENTS WHO MAY BE CARED FOR AT A PRESCRIBED LEVEL OF CARE, IN THEIR RESIDENCE INSTEAD OF IN A HOSPITAL; AND

(2) MEET THE REQUIREMENTS OF SUBTITLE 1 OF THIS TITLE FOR CERTIFICATION OF NEED.

REVISOR'S NOTE: This section formerly appeared as the third sentence of Article 43, § 879 and the first sentence of § 882.

In item (1) of this section, reference to the applicant showing "that the home health agency will provide" is substituted for the words "shall provide", to reflect that an applicant for licensing may not provide services until the license is issued.

Also in item (1) of this section, the former reference "under the direction ... of a licensed physician" is deleted as unnecessary in light of the use of the defined term "home health care".

Also in item (1) of this section, the former phrase "who are deemed to require initial or continued hospitalization" is deleted as contradictory of the purpose, namely, providing care in a residence instead of in a hospital.

The only other changes are in style.

Defined terms: "Home health agency" § 19-401
"Home health care" § 19-401

19-407. INSPECTIONS; ISSUANCE AND REVOCATION OF LICENSES.

THE DEPARTMENT SHALL:

(1) INSPECT THE OPERATIONS OF EACH HOME HEALTH AGENCY TO DETERMINE WHETHER IT IS MEETING THE REQUIREMENTS OF THIS SUBTITLE AND THE RULES AND REGULATIONS ADOPTED UNDER IT; AND