

(2) ISSUE, DENY, OR REVOKE A HOME HEALTH AGENCY LICENSE IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 880.

The only changes are in style.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that it may wish to add the express power to suspend a license, for conformity to other provisions for disciplinary actions against a licensee.

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

19-408. PROHIBITED ACTS.

(A) PRACTICING WITHOUT LICENSE.

A PERSON MAY NOT OPERATE, ATTEMPT TO OPERATE, OR HOLD ONE'S SELF OUT AS OPERATING A HOME HEALTH AGENCY UNLESS LICENSED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This subsection is standard language added to state a fundamental prohibition implicit throughout the former provisions of Article 43 that related to home health agencies.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that there is no penalty provision for operating without a license or for violating rules and regulations adopted under this subtitle.

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

(B) DISCRIMINATION.

A HOME HEALTH AGENCY MAY NOT WITHHOLD ANY HOME HEALTH CARE SERVICES FROM AN INDIVIDUAL BECAUSE OF THE INDIVIDUAL'S AGE, SEX, COLOR, CREED, NATIONAL ORIGIN, SOURCE OF PAYMENT, OR ABILITY TO PAY.

REVISOR'S NOTE: This subsection formerly appeared as the second sentence of Article 43, § 882.

The word "individual" is substituted for "patient", to reflect that, if services are denied, the individual is not a patient. However, see revisor's note to § 19-401 of this