

term skilled or intermediate ["A"] nursing care. However, this amount may not be more than the maximum reimbursement rate for chronic care services that a hospital provides.

(b) The Department may not place a Program recipient in a skilled or intermediate nursing [care home] FACILITY if, because of the condition of the Program recipient, the placement would cause undue risk to the Program recipient.

(c) To provide a basis for evaluating the placement of Program recipients who need skilled or intermediate nursing care in skilled or intermediate ["A"] nursing [care homes] FACILITIES, a Program recipient may be placed only in a [home] NURSING FACILITY that has a transfer agreement with a general hospital.

15-117.

(a) (1) In this section the following [words have] TERM HAS the [meanings] MEANING indicated.

(2) ["Facility" means any nursing facility that meets:

(i) The standards for certification as an intermediate care facility and for participation in Title XIX of the Social Security Act; or

(ii) The standards for certification as a skilled nursing facility and for participation in Title XVIII or Title XIX of the Social Security Act.

(3)] "Leave of absence" includes:

(i) A visit with friends or relatives; and

(ii) A leave to participate in a State approved therapeutic or rehabilitative program.

(b) (1) To ensure that a bed is reserved for a Program recipient who is absent temporarily from a NURSING facility, the [Maryland Medical Assistance Plan] PROGRAM shall include the following payments for NURSING facilities that have made a provider agreement with the Department.

(2) If the Program recipient is absent from a NURSING facility due to hospitalization for an acute condition, the facility shall receive payment for each day that the Program recipient is hospitalized and a bed is reserved and made available for the return of that Program recipient.

(3) If a Program recipient is on leave of absence from a NURSING facility, the facility shall receive payment for each day that the Program recipient is absent and a bed is reserved and made available for the return of that Program recipient.