

creating a serious effect on the woman's present mental health and if carried to term there is a substantial risk of a serious or long lasting effect on the woman's future mental health. Further provided that \$380,000 of this appropriation may not be expended for any program or purpose except that the funds may be expended to provide medical day care providers with the annual per diem rate adjustment set forth in COMAR 10.09.07.09(D).

Further provided that \$477,500,000 of this appropriation may not be expended for any program or purpose except that the funds may be used for payments to nursing homes. Further provided that \$2,500,000 of the amount restricted for payments to nursing homes may not be expended until the Health Facilities Association of Maryland and Mid Atlantic Life Span jointly develop a proposal for linking payment through the nursing home reimbursement formula to quality of care measures and submit the proposal to the Department of Health and Mental Hygiene and the budget committees. The report shall be submitted by November 1, 2006.

Further provided that \$100,000 of this appropriation is contingent upon the Department of Health and Mental Hygiene submitting a plan for linking payments through the nursing home reimbursement formula to quality of care measures and a timetable for implementing the plan. If the department's plan differs from the proposal developed by the nursing home industry, the report should articulate the reasons for the differences. The plan shall be submitted no later than January 15, 2007

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