

(4) Require keeping clinical records of each patient, including the plan of treatment to be provided;

(5) Govern supervision of the services, as appropriate, by:

(i) A physician;

(ii) A registered nurse; or

(iii) Another health professional who is qualified sufficiently by advanced training to supervise the same kind of services in a hospital; and

(6) Require submission of an annual report which includes service utilization statistics.

[(d) (1) A home health agency accredited by an organization approved by the Secretary shall be deemed to meet State licensing regulations.

(2) (i) The home health agency shall submit the report of the accreditation organization to the Secretary within 30 days of its receipt.

(ii) All reports submitted under this paragraph shall be available for public inspection.

(3) The Secretary may:

(i) Inspect the home health agency for the purpose of a complaint investigation;

(ii) Inspect the home health agency to follow up on a serious problem identified in an accreditation organization's report; and

(iii) Annually, conduct a survey of up to 5 percent of all home health agencies in the State to validate the findings of an accreditation organization's report.]

[(e)] (D) The provisions of this section do not waive the requirement for a home health agency to obtain a certificate of need.

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(g) [(5) (i) The Secretary may accept all or part of a report of an approved accrediting organization as meeting the external review requirements under this subtitle.

(ii) Except as provided in subparagraph (iii) of this paragraph, a report of an approved accrediting organization used by the Department as meeting the external review requirements under this subtitle shall be made available to the public on request.

(iii) The Department may not disclose and shall treat as confidential all confidential commercial and financial information contained in a report of an approved accrediting organization in accordance with § 10-617(d) of the State Government Article.