

(3) ENTER INTO A FORMAL WRITTEN AGREEMENT WITH THE ACCREDITATION ORGANIZATION THAT INCLUDES REQUIREMENTS FOR:

- (I) NOTICE OF ALL SURVEYS AND INSPECTIONS;
- (II) SHARING OF COMPLAINTS AND OTHER RELEVANT INFORMATION;
- (III) PARTICIPATION OF THE DEPARTMENT IN ACCREDITATION ORGANIZATION ACTIVITIES; AND
- (IV) ANY OTHER PROVISION NECESSARY TO ENSURE THE INTEGRITY OF THE ACCREDITATION AND LICENSURE PROCESS.

(C) (1) WHEN AN APPROVED ACCREDITATION ORGANIZATION HAS ISSUED A FINAL REPORT FINDING A HEALTH CARE FACILITY TO BE IN SUBSTANTIAL COMPLIANCE WITH THE ACCREDITATION ORGANIZATION'S STANDARDS, THE DEPARTMENT SHALL ACCEPT THE REPORT AS EVIDENCE THAT THE HEALTH CARE FACILITY HAS MET STATE LICENSURE REQUIREMENTS AND SHALL GRANT THE HEALTH CARE FACILITY DEEMED STATUS.

(2) A HEALTH CARE FACILITY THAT FAILS TO ACHIEVE SUBSTANTIAL COMPLIANCE WITH THE STANDARDS OF AN APPROVED ACCREDITATION ORGANIZATION MAY BE SUBJECT TO THE PROVISIONS OF § 19-360 OF THIS TITLE.

(D) (1) AN APPROVED ACCREDITATION ORGANIZATION SHALL SEND THE DEPARTMENT ANY PRELIMINARY AND FINAL REPORT OF EACH INSPECTION AND SURVEY AT THE TIME IT IS SENT TO THE HEALTH CARE FACILITY.

(2) A FINAL REPORT OF AN APPROVED ACCREDITATION ORGANIZATION SHALL BE MADE IMMEDIATELY AVAILABLE TO THE PUBLIC ON REQUEST.

(3) A PRELIMINARY OR FINAL REPORT OF AN APPROVED ACCREDITATION ORGANIZATION IS NOT ADMISSIBLE IN EVIDENCE IN ANY CIVIL ACTION OR PROCEEDING.

(E) THE DEPARTMENT MAY INSPECT AN ACCREDITED HEALTH CARE FACILITY TO:

- (1) DETERMINE COMPLIANCE WITH ANY QUALITY REQUIREMENT;
- (2) FOLLOW UP ON ANY SERIOUS PROBLEM IDENTIFIED BY AN APPROVED ACCREDITATION ORGANIZATION;
- (3) INVESTIGATE A COMPLAINT; OR
- ~~(4) PARTICIPATE IN OR OBSERVE A SURVEY OF AN APPROVED ACCREDITATION ORGANIZATION; OR~~
- ~~(5)~~ (4) VALIDATE THE FINDINGS OF AN APPROVED ACCREDITATION ORGANIZATION.