

generally relating to family councils and nursing homes.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–1416(a)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–1416(b)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

19–1416.

(a) In this section, “family council” means a group of individuals who work together to protect the rights of and improve the quality of life of residents of a nursing home.

(b) (1) A family council for a nursing home may consist of the following members:

(i) Members of a resident’s family; or

(ii) An individual appointed by the resident, or if the resident is incapable of appointing an individual, an individual appointed by the resident’s family.

(2) (i) Subject to subparagraph (ii) of this paragraph, a family council may be created by the owner, operator, or staff of a nursing home.

(ii) [In] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IN order to facilitate the development of a family council, the owner, operator, or staff of a nursing home may lead the family council for no longer than 6 months at which time the family council shall be led by a member of the family council.

(3) ON THE WRITTEN REQUEST OF A FAMILY COUNCIL, THE NURSING HOME MAY ASSIST THE FAMILY COUNCIL IN THE ADMINISTRATIVE FUNCTIONS OF OPERATING THE FAMILY COUNCIL IN A MUTUALLY AGREED UPON MANNER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.

Approved April 26, 2005.