

(b) The Administration or its agent shall inspect each site or office operated by a licensee at least once annually and at any other time that the Administration considers necessary.

(c) The Administration shall keep a report of each inspection.

(d) The Administration shall bring any deficiencies to the attention of:

(1) The executive officer of the licensee; or

(2) In the case of an intermediate care facility—mental retardation, the State Planning Council and the State—designated protection and advocacy agency.

(E) (1) THE ADMINISTRATION, IN CONJUNCTION WITH THE OFFICE OF HEALTH CARE QUALITY, SHALL ADOPT REGULATIONS THAT ESTABLISH A SYSTEM OF PRIORITIZATION TO RESPOND TO AND INVESTIGATE SERIOUS REPORTABLE INCIDENTS, AS DEFINED BY THE ADMINISTRATION, IN THE AREAS OF ABUSE, NEGLECT, SERIOUS INJURY, AND MEDICATION ERRORS THAT THREATEN THE HEALTH, SAFETY, AND WELL-BEING OF INDIVIDUALS RECEIVING SERVICES FUNDED BY THE ADMINISTRATION IN STATE-OPERATED AND COMMUNITY PROGRAMS LICENSED BY THE ADMINISTRATION.

(2) THE ADMINISTRATION SHALL SEEK INPUT FROM INDIVIDUALS WITH DISABILITIES AND THEIR FAMILIES, LICENSEES, AND ADVOCACY ORGANIZATIONS IN DEVELOPING THE REGULATIONS, PRIOR TO PUBLISHING THE REGULATIONS IN THE MARYLAND REGISTER FOR PUBLIC COMMENT.

(3) THE REGULATIONS SHALL DEFINE AND ADDRESS:

(I) THE PROCEDURES AND TIMELINES THAT PROVIDERS MUST FOLLOW WHEN REPORTING SERIOUS REPORTABLE INCIDENTS AND DEATHS TO THE ADMINISTRATION AND THE OFFICE OF HEALTH CARE QUALITY;

~~(II) THE SYSTEM OF PRIORITIZATION FOR INVESTIGATION OF SERIOUS REPORTABLE INCIDENTS AND DEATHS; THE DEPARTMENT'S PROTOCOL TO DETERMINE THE NECESSITY TO INVESTIGATE A SERIOUS REPORTABLE INCIDENT THAT TAKES INTO ACCOUNT:~~

1. THE SEVERITY OF THE INCIDENT;

2. THE QUALITY OF THE LICENSEE'S INTERNAL INVESTIGATION; AND

3. THE NUMBER AND FREQUENCY OF SERIOUS REPORTABLE INCIDENTS REPORTED BY THE LICENSEE TO THE DEPARTMENT;

~~(III) THE SPECIFIC ROLES AND RESPONSIBILITIES OF EACH GOVERNMENTAL UNIT INVOLVED IN INVESTIGATING LICENSEES ANY FOLLOW-UP INVESTIGATIONS THAT MAY OCCUR DUE TO A LICENSEE'S REPORT OF A SERIOUS REPORTABLE INCIDENT OR DEATH;~~

~~(IV) METHODS OF INVESTIGATIONS, INCLUDING ON-SITE INVESTIGATIONS;~~