

19-309.

(a) Notwithstanding any other provisions of this subtitle, each hospital OR RESIDENTIAL TREATMENT CENTER shall be open to inspections by the Department to investigate and resolve any complaint concerning patient care, safety, medical and nursing supervision, physical environment, sanitation or dietary matters.

(b) (1) To resolve expeditiously a complaint that alleges the existence of any nonlife-threatening deficiency, the Department may refer the complaint directly to the hospital OR RESIDENTIAL TREATMENT CENTER.

(2) If appropriate, issues relating to the practice of medicine or the licensure or conduct of a health professional shall be referred to the hospital OR THE RESIDENTIAL TREATMENT CENTER and may be referred to the appropriate licensure board for resolution.

(3) If the Department determines that the hospital OR RESIDENTIAL TREATMENT CENTER has not satisfactorily addressed the referred complaint or where the complaint alleges the existence of a life-threatening deficiency, the Department shall conduct an independent investigation. When conducting its independent investigation, the Department shall use:

(i) For an accredited hospital OR ACCREDITED RESIDENTIAL TREATMENT CENTER, the CURRENT APPLICABLE standards of review of the Joint Commission on Accreditation of [Hospitals] ~~HEALTH CARE~~ HEALTHCARE ORGANIZATIONS;

(ii) For a nonaccredited hospital OR NONACCREDITED RESIDENTIAL TREATMENT CENTER, the standards adopted by the Secretary under this subtitle; ~~and~~

(iii) For an accredited or nonaccredited hospital that is a facility as defined under § 19-319.2 of this subtitle, the requirements of §§ 10-701 through 10-709 of this article; AND

(IV) FOR AN ACCREDITED OR NONACCREDITED RESIDENTIAL TREATMENT CENTER, THE REQUIREMENTS OF §§ 10-701 THROUGH 10-709 OF THIS ARTICLE.

19-319.

(c) (1) The applicant shall have a certificate of need, as required under Subtitle 1 of this title, for the hospital, RESIDENTIAL TREATMENT CENTER, or related institution to be operated.

(2) The hospital, RESIDENTIAL TREATMENT CENTER, or related institution to be operated shall:

(i) Be an accredited hospital OR ACCREDITED RESIDENTIAL TREATMENT CENTER; or

(ii) Meet the requirements that the Secretary adopts under this subtitle and Subtitle 12 of this title.