

(3) If a Program recipient is on leave of absence from a nursing facility, the facility shall receive payment for each day that the Program recipient is absent and a bed is reserved and made available for the return of that Program recipient.

(c) (1) Payments under subsection (b)(2) of this section may not be made for more than 15 days for any single hospital stay.

(2) (i) Payments under subsection (b)(3) of this section may not be made for more than 18 days in any calendar year.

(ii) Notwithstanding any rule or regulation, a leave of absence is not subject to any requirement that it may not exceed a particular number of days a visit, except that the leave of absence may not exceed a total of 18 days during any [12-month period] CALENDAR YEAR.

(d) (1) Payments required under this section shall be made according to the per diem payment procedures that the Department sets [and may not be less than the per diem payments made to the nursing facility for days when the Program recipient is present in the facility].

(2) PAYMENTS REQUIRED UNDER THIS SECTION MAY NOT INCLUDE PAYMENT FOR NURSING SERVICES FOR BEDS RESERVED FOR PROGRAM RECIPIENTS ON A LEAVE OF ABSENCE.

(e) A nursing facility may not make additional charges against a Program recipient because the Program recipient is absent temporarily from the nursing facility.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

19-1501.

(a) In this subtitle the following words have the meanings indicated.

(b) "Commission" means the Maryland Health Care Access and Cost Commission.

(c) "Comprehensive standard health benefit plan" means the comprehensive standard health benefit plan adopted in accordance with § 15-1207 of the Insurance Article.

(d) (1) "Health care provider" means:

(i) A person who is licensed, certified, or otherwise authorized under the Health Occupations Article to provide health care in the ordinary course of business or practice of a profession or in an approved education or training program; or

(ii) A facility where health care is provided to patients or recipients, including a facility as defined in § 10-101(e) of this article, a hospital as defined in §