

(V) ANY OTHER RELEVANT PARAMETERS AFFECTING OR REFLECTING THE RESIDENT'S PHYSICAL AND MENTAL STATUS.

~~[(b)]~~ ~~(C)~~ **(D)** "Deficiency" [shall mean any failure of a nursing facility to meet the requirements of this subtitle or any rule or regulation that the Secretary adopts under this subtitle, and, in the case of a nursing facility that participates in the Maryland Medicaid Program under Title 15 of this article as a nursing facility, any failure to meet the requirements of § 1919(b), (c), or (d) of the federal Social Security Act (42 U.S.C. § 1396R(b), (c), or (d)), that is serious or life threatening] MEANS A CONDITION EXISTING IN A NURSING HOME OR AN ACTION OR INACTION BY THE NURSING HOME STAFF THAT RESULTS IN POTENTIAL FOR HARM, ACTUAL HARM, OR A SERIOUS AND IMMEDIATE THREAT TO ONE OR MORE RESIDENTS.

(c) "Life threatening" shall mean a condition existing in a nursing facility that presents an imminent danger of health or serious mental or physical harm to the residents of the nursing facility and must be remedied immediately to insure their health, safety, and welfare.]

~~(d)~~ ~~(E)~~ "Nursing [facility] HOME" means a facility (other than a facility offering domiciliary or personal care as defined in Subtitle 3 of this title) which offers nonacute inpatient care to patients suffering from a disease, CHRONIC ILLNESS, condition, disability of advanced age, or terminal disease requiring maximal nursing care without continuous hospital services and who require medical services and nursing services rendered by or under the supervision of a licensed nurse together with convalescent [services], restorative [services], or rehabilitative services.

~~(E)~~ ~~(F)~~ "ONGOING PATTERN" MEANS THE RECURRENCE OF DEFICIENCIES AFTER TWO CONSECUTIVE SITE VISITS AS A RESULT OF ANNUAL SURVEYS, FOLLOW-UP VISITS, UNSCHEDULED VISITS, OR COMPLAINT INVESTIGATIONS.

~~(F)~~ ~~(G)~~ "POTENTIAL FOR HARM DEFICIENCY" MEANS A CONDITION EXISTING IN A NURSING HOME OR AN ACTION OR INACTION BY THE NURSING HOME STAFF THAT RESULTS IN MINIMAL DISCOMFORT TO A RESIDENT OR HAS THE POTENTIAL TO CAUSE ACTUAL HARM TO A RESIDENT.

(e) "Serious" means a condition existing in a nursing facility that does not constitute a life threatening, health, or fire safety deficiency, but which is a violation of departmental regulations and is likely to endanger the health, life, or safety of patients.]

~~(G)~~ ~~(H)~~ "SERIOUS IMMEDIATE THREAT" MEANS A SITUATION IN WHICH IMMEDIATE CORRECTIVE ACTION IS NECESSARY BECAUSE A NURSING HOME'S NONCOMPLIANCE WITH ONE OR MORE STATE REGULATIONS HAS CAUSED OR IS LIKELY TO CAUSE SERIOUS INJURY, HARM, IMPAIRMENT, OR DEATH TO A RESIDENT RECEIVING CARE IN THE NURSING HOME.

~~(H)~~ ~~(I)~~ "SUSTAINED COMPLIANCE" MEANS A PERIOD OF 30 DAYS FOLLOWING THE DATE OF NOTICE OF CORRECTIVE ACTION WITH NO DEFICIENCIES.