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(c) There is established in the Department a Maryland Long-Term Care Ombudsman Program. The Secretary shall designate a Maryland Long-Term Care Ombudsman.

(d) (1) The Secretary may delegate the Secretary's authority under subsection (a) of this section to the Maryland Long-Term Care Ombudsman and to the director of a local office on aging in accordance with a local long-term care ombudsman program established pursuant to regulations promulgated by the Secretary.

(2) The regulations shall provide for:

(i) Minimum training requirements for all program staff and volunteers;

(ii) Cooperation with the Departments of Health and Mental Hygiene and Human Resources;

(iii) Annual review of all ombudsman activities by the Department;

(iv) Complaint review, investigation, and resolution procedures including provisions which assure the confidentiality of complaints and the right of privacy of any complainant or resident of a related institution;

(v) Maintenance by the local ombudsman of a recordkeeping or information system which assures the confidentiality of records or files and the right of privacy of any complainant or resident of a related institution; [and]

(vi) Access, review, and copying of medical records to the extent authorized by § 4-305(b)(3) of the Health - General Article when the local ombudsman is the person in interest or as otherwise provided by law; AND

(VII) A PROCESS FOR ASSISTING INDIVIDUALS WITH ORGANIZING AND OPERATING A FAMILY COUNCIL IN A NURSING HOME.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

May 26, 2004

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today