

(2) IF THE PROVIDER OWNS OR OPERATES MORE THAN THREE FACILITIES IN THE STATE, THE GOVERNING BODY SHALL INCLUDE AT LEAST ONE OF THE PROVIDER'S SUBSCRIBERS FOR EVERY THREE FACILITIES IN THE STATE.

(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A MEMBER OF THE GOVERNING BODY WHO IS SELECTED TO MEET THE REQUIREMENTS OF THIS SUBSECTION SHALL BE A SUBSCRIBER AT A FACILITY IN THE STATE AND BE SELECTED ACCORDING TO THE SAME GENERAL WRITTEN STANDARDS AND CRITERIA USED TO SELECT OTHER MEMBERS OF THE GOVERNING BODY.

(4) THE GOVERNING BODY SHALL CONFER WITH THE RESIDENT ASSOCIATION AT EACH OF THE PROVIDER'S FACILITIES BEFORE THE SUBSCRIBER OFFICIALLY JOINS THE GOVERNING BODY.

(5) THE SECRETARY MAY WAIVE THE REQUIREMENTS OF THIS SUBSECTION FOR A PROVIDER IN THE PROCESS OF DECERTIFYING AS A PROVIDER, IF THE SECRETARY DETERMINES THAT THERE ARE NO SUBSCRIBERS WILLING AND ABLE TO SERVE ON THE GOVERNING BODY.

(B) PROVIDER WITHOUT A GOVERNING BODY.

(1) IF A PROVIDER DOES NOT HAVE A GOVERNING BODY, THE PROVIDER SHALL APPOINT A SELECT COMMITTEE OF ITS OFFICERS OR PARTNERS TO MEET AT LEAST TWICE A YEAR WITH THE RESIDENT ASSOCIATION AT EACH OF ITS FACILITIES TO ADDRESS CONCERNS OF THE SUBSCRIBERS AND TO ENSURE THAT THE OPINIONS OF SUBSCRIBERS ARE RELAYED TO ALL OFFICERS OR PARTNERS OF THE PROVIDER.

(2) IF A FACILITY DOES NOT HAVE A RESIDENT ASSOCIATION, THE COMMITTEE SHALL MEET WITH A REASONABLE NUMBER OF REPRESENTATIVES, NOT REQUIRED TO EXCEED FIFTEEN, THAT THE SUBSCRIBERS ELECT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 70B, § 11A(b) and (c).

In subsection (a)(2) of this section, the former reference to including a subscriber "as a full and regular member of the governing body" is deleted as implicit in the requirement that the "governing body shall include at least one subscriber".

- Defined terms: "Facility" § 10-401
- "Governing body" § 10-401
- "Provider" § 10-401
- "Secretary" § 10-101
- "Subscriber" § 10-401

10-428. INTERNAL GRIEVANCE PROCEDURE.

(A) IN GENERAL.

A PROVIDER SHALL ESTABLISH AN INTERNAL GRIEVANCE PROCEDURE TO ADDRESS A SUBSCRIBER'S GRIEVANCE.

(B) PROCEDURE.