

CHAPTER 133

(Senate Bill 782)

AN ACT concerning

Advisory Committee on Home-Based Health Care Services

FOR the purpose of establishing an Advisory Committee on Home-Based Health Care Services in the Department of Health and Mental Hygiene; requiring the Advisory Committee to conduct a certain study and report to the Secretary of Health and Mental Hygiene by a certain date; requiring the Secretary to report its recommendations by a certain date; and generally relating to the establishment of an Advisory Committee on Home-Based Health Care Services.

Preamble

WHEREAS, The health care delivery system has changed significantly from institutional to home-based care; and

WHEREAS, The level of services provided in the home is frequently medically and technologically advanced; and

WHEREAS, Current Maryland law for home health agencies, hospices, residential service agencies, home medical equipment providers, IV therapy services, and nurse staff agencies is outdated, fragmented, and inconsistent; and

WHEREAS, Oversight and inspections of home-based services are uneven and, in some cases, nonexistent; and

WHEREAS, A 1997 United States General Accounting Office report found that the Medicare survey and certification process provides "little assurance that the home health agency is providing or is capable of providing quality care"; and

WHEREAS, Salaries and wages for home care workers are typically low, and eligibility for benefits such as Social Security, workers' compensation, and unemployment insurance is uncertain; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Secretary of Health and Mental Hygiene shall establish an Advisory Committee on Home-Based Health Care Services.

(b) The purpose of the Advisory Committee is to:

(1) Study the current statutory framework for regulating and overseeing the quality of home-based health care and ~~to~~ recommend whether oversight should be strengthened, streamlined, reduced, or eliminated; and

(2) Examine employment issues relating to liability for paying benefits such as Social Security, workers' compensation, and unemployment insurance.