

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

Chapter 01 Uniform Accounting and Reporting System for Hospitals

Authority: Health-General Article, § 19-217; Annotated Code of Maryland

NOTICE OF FINAL ACTION

On August 12, 2015, the Health Services Cost Review Commission adopted amendments to Regulation .08 under **COMAR 10.37.01 “Uniform Accounting and Reporting System for Hospitals.”** This action, which was proposed for adoption in 42:9 Md. R. 651 (May 1, 2015), has been adopted as proposed.

Effective Date: September 14, 2015

JOHN M. COLMERS
Chairman
Health Services Cost Review Commission

Statement of Purpose

The purpose of this action is to provide an exception for youth camps from those settings where a delegating nurse case manager would ordinarily be required.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

Youth camps will not have to have a full-time, on-site delegating nurse case manager if less than 50 percent of their campers have no medical problems. There will be a cost savings, but the savings is inestimable because the salary and number of nurses is unknown.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through June 1, 2015. A public hearing has not been scheduled.

.01 Exclusion from Regulations.

This chapter is not applicable to and does not restrict or limit:

A.—E. (text unchanged)

F. An individual who performs nursing assistant tasks as a student while:

(1)—(2) (text unchanged)

(3) Practicing under the direct supervision of a nurse while working as a nursing assistant; [or]

G. A nurse from delegating a nursing task to an unlicensed individual if acceptance of delegated nursing tasks does not become a routine part of the unlicensed individual's job duties; or

H. A youth camp regulated in accordance with COMAR 10.16.06.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions

Authority: Health-General Article, §19-217, Annotated Code of Maryland

Notice of Proposed Action

[15-118-P]

The Health Services Cost Review Commission proposes to amend Regulation .08 under COMAR 10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions. This action was considered and approved for promulgation by the Commission at a previously announced open meeting held on March 11, 2015, notice of which was given pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland. If adopted, the proposed amendments will become effective on or about June 2, 2015.

Statement of Purpose

The purpose of this action is to conform to the requirements set forth in Ch. 263, Acts of 2014, effective July 1, 2014, that require hospitals to notify the Commission, in writing, within 30 days before executing any financial transaction, contract, or other agreement that would result in more than 50 percent of all corporate voting rights or governance reserve powers being transferred to or assumed by another person or entity.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Diana Kemp, Administrator II, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-2576, or email to diana.kemp@maryland.gov, or fax to 410-358-6217. Comments will be accepted through June 1, 2015. A public hearing has not been scheduled.

.08 Notification of Certain Financial Transactions.

A. General. A facility subject to the jurisdiction of the Commission shall notify the Commission, in writing, within 30 days before executing any financial transaction, contract, or other agreement that would:

(1) Pledge more than 50 percent of the operating assets of the facility as collateral for a loan or other obligation; or]

(2) Result in more than 50 percent of the operating assets of the facility being sold, leased, or transferred to another person or entity; or

(3) Result in more than 50 percent of all corporate voting rights or governance reserve powers being transferred to or assumed by another person or entity.

B. Information Required. A facility shall file with the Commission within 30 days before executing a proposed financial transaction, contract, or other agreement as required in §A of this regulation, the following information:

(1) [The name and address of the person or entity to whom the operating assets of the facility are being sold, leased, transferred, or pledged as collateral for a loan or other obligations; and] *The name and address of the person or entity to whom:*

(a) *The operating assets of the facility are being sold, leased, transferred, or pledged as collateral for a loan or other obligation; or*

(b) *The corporate voting rights or governance reserve powers are being transferred or assumed.*

(2) (text unchanged)

C. — E. (text unchanged)

JOHN M. COLMERS
Chairman
Health Services Cost Review Commission