

HB 579 -- Licensure of Hospitals

Sponsor: Frederick

This bill changes the laws regarding the licensure and inspection of hospitals. In its main provisions, the bill:

(1) Requires the Department of Health and Senior Services to review and revise its regulations relating to hospital licensure and enforcement to promote efficiency and eliminate duplicate regulations and inspections by state and federal agencies;

(2) Requires regulations adopted by the department to include, but not be limited to:

(a) Ensuring that each citation or finding of a regulatory deficiency refer to the specific written and publicly available standard and associated written interpretive guidance that are the basis of the citation or finding;

(b) Being consistent with and not in contradiction to the federal Centers for Medicare and Medicaid Services' (CMS) Conditions of Participation for hospitals and associated interpretive guidance;

(c) Establishing and publishing a process and standards to determine if a complaint warrants an onsite investigation;

(d) Limiting a complaint investigation performed by the department to the specific regulatory standard or standards raised by the complaint, unless there is an immediate safety threat;

(e) Providing hospitals and their representatives the opportunity to participate at least annually in training sessions provided to state licensure surveyors; and

(f) Establishing specific timelines identical to those in CMS's State Operations Manual for state hospital officials to respond to a hospital regarding the status and outcome of pending investigations and possible regulatory action;

(3) Requires the department to accept hospital inspection reports from CMS-approved organizations in lieu of the department's annual inspection, limits a good cause inspection to the scope of the complaint investigation, and requires the department to accept hospital inspection reports from CMS-approved organizations for licensure purposes if the inspection was conducted within three years instead of within one year of the most recent accreditation license renewal for the hospital.

Currently, the department inspects each licensed hospital annually and additionally when it is deemed necessary for good cause shown; and

(4) Allows the department when publishing hospital licensure regulations to incorporate by reference later additions and amendments to the guideline, standard, or regulation as needed to consistently apply current standards of safety, quality, and practice.