

# HOUSE BILL 588

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9lr2503

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By: ~~Delegate Hettleman~~ Delegates Hettleman, C. Watson, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

Introduced and read first time: February 4, 2019

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Continuing Care Retirement Communities – Mediation – Representation by**  
3 **Counsel**

4 FOR the purpose of repealing the prohibition against a community care retirement  
5 community provider, subscriber, or group of subscribers being represented by  
6 counsel during a certain mediation procedure; and generally relating to continuing  
7 care retirement communities and mediation.

8 BY repealing and reenacting, with amendments,  
9 Article – Human Services  
10 Section 10–428  
11 Annotated Code of Maryland  
12 (2007 Volume and 2018 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
14 That the Laws of Maryland read as follows:

15 **Article – Human Services**

16 10–428.

17 (a) A provider shall establish an internal grievance procedure to address a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 subscriber's grievance.

2 (b) The internal grievance procedure shall at least:

3 (1) allow a subscriber or group of subscribers collectively to submit a  
4 written grievance to the provider;

5 (2) require the provider to send a written acknowledgment to the  
6 subscriber or group of subscribers within 5 days after receipt of the written grievance;

7 (3) require the provider to assign personnel to investigate the grievance;

8 (4) give a subscriber or group of subscribers who file a written grievance  
9 the right to meet with management of the provider within 30 days after receipt of the  
10 written grievance to present the grievance; and

11 (5) require the provider to respond in writing within 45 days after receipt  
12 of the written grievance regarding the investigation and resolution of the grievance.

13 (c) (1) Within 30 days after the conclusion of an internal grievance procedure  
14 established under this section, a subscriber, group of subscribers, or provider may seek  
15 mediation through one of the Community Mediation Centers in the State or another  
16 mediation provider.

17 (2) If a provider, subscriber, or group of subscribers seeks mediation under  
18 paragraph (1) of this subsection[:

19 (i)], the mediation shall be nonbinding[; and

20 (ii) the provider, subscriber, or group of subscribers may not be  
21 represented by counsel].

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.