

Correction Orders; Health Care Facilities; House Sub. for SB 55

House Sub. for SB 55 permits the Secretary for Aging and Disability Services, or the Secretary's designee, to issue a correction order to a licensee of a health care facility whenever the Secretary's duly authorized representative determines the facility is not in compliance with the professional liability insurance requirements prescribed by the Health Care Provider Insurance Availability Act (Act) or the rules and regulations promulgated under the Act.

The bill requires the correction order to be in writing and served upon the licensee of the health care facility either personally or by certified mail with return receipt requested. The correction order will need to cite the specific statutory provision or rule and regulation alleged to have been violated and specify the time allowed for correction. If a licensee fails to correct the deficiency or deficiencies specified in the order, the Secretary will be permitted to assess a civil penalty. Under continuing law, that civil penalty is up to \$500 per day, with the maximum assessment not to exceed \$2,500.

The bill specifies the term "health care facility" has the same meaning as defined in the Act.