

## **.60 Health Care Quality Account.**

A. The Department shall establish a health care quality account in the Department.

B. The health care quality account shall be funded by civil money penalties paid by nursing homes.

C. The Department shall use funds from the health care quality account to improve the quality of care in nursing facilities.

D. Expenditure of funds may include, but are not limited to the following:

(1) Funding for the establishment and operation of a demonstration project;

(2) A grant award;

(3) Relocation of residents in crisis situations;

(4) Provision of educational programs to nursing facilities, the Office of Health Care Quality, other government, professional, or advocacy agencies, and consumers; and

(5) Any other purpose that will directly improve quality of care.

E. Suggestions for the use of funds may be submitted to the Department from:

(1) Members of the public;

(2) Advocacy organizations;

(3) Government agencies;

(4) Professional organizations including trade associations;

(5) Nursing homes; and

(6) Nursing home associations.

F. Decision on Expenditure of Funds.

(1) The Department, in its sole discretion, shall decide how to spend funds from the health care quality account.

(2) The Department's decision to spend funds or not to spend funds for a specific project or purpose is not a contested case as defined in State Government Article, §10-202(d), Annotated Code of Maryland, and therefore is not subject to appeal.