

West's Annotated Code of Maryland  
Health--General  
Title 5. Death  
Subtitle 8. Mortality and Quality Review Committee

MD Code, Health - General, T. 5, Subt. 8, Refs & Annos  
[Currentness](#)

MD Code, Health - General, T. 5, Subt. 8, Refs & Annos, MD HEALTH GEN T. 5, Subt. 8, Refs & Annos  
Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-801

## § 5-801. Definitions

Effective: [See Text Amendments] to December 31, 2022

[Currentness](#)

<Section effective through December 31, 2022. See, also, section effective January 1, 2023.>

### **In general**

(a) In this subtitle the following words have the meanings indicated.

### **Aggregate incident data**

(b) “Aggregate incident data” means information or statistics maintained by the Office of Health Care Quality on the reported incidents of Level III serious injuries at health care facilities.

### **Committee**

(c) “Committee” means the Mortality and Quality Review Committee.

### **Credits**

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2006, c. 268, § 1, eff. July 1, 2006](#).

### **Editors' Notes**

### **ABROGATION**

<[Acts 2006, c. 268](#), is abrogated effective at the end of December 31, 2022, under the terms of § 3 of that Act, as amended by [Acts 2009, c. 48, § 1](#); [Acts 2009, c. 49, § 1](#); [Acts 2012, c. 340, § 1](#); [Acts 2012, c. 341, § 1](#).>

MD Code, Health - General, § 5-801, MD HEALTH GEN § 5-801

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-802

## § 5-802. Mortality and Quality Review Committee

Effective: [See Text Amendments] to December 31, 2022

[Currentness](#)

<Section effective through December 31, 2022. See, also, section effective January 1, 2023.>

### **In general**

(a) There is a Mortality and Quality Review Committee established within the Department.

### **Purpose of Committee**

(b) The purpose of the Committee is to prevent avoidable injuries and avoidable deaths and to improve the quality of care provided to persons with developmental disabilities.

### **Credits**

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2006, c. 268, § 1, eff. July 1, 2006](#).

### **Editors' Notes**

### **ABROGATION**

<[Acts 2006, c. 268](#), is abrogated effective at the end of December 31, 2022, under the terms of § 3 of that Act, as amended by [Acts 2009, c. 48, § 1](#); [Acts 2009, c. 49, § 1](#); [Acts 2012, c. 340, § 1](#); [Acts 2012, c. 341, § 1](#).>

MD Code, Health - General, § 5-802, MD HEALTH GEN § 5-802

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-803

### § 5-803. Duties of Committee

Effective: October 1, 2015 to December 31, 2022

[Currentness](#)

<Section effective through December 31, 2022. See, also, section effective January 1, 2023.>

The Committee shall:

- (1) Evaluate causes or factors contributing to deaths in facilities or programs:
  - (i) Operated or licensed by the Developmental Disabilities Administration;
  - (ii) Licensed by the Behavioral Health Administration to provide mental health services and identified in [§ 10-713\(a\)](#) of this article; or
  - (iii) Operating by waiver under [§ 7-903\(b\)](#) of this article;
- (2) Review aggregate incident data regarding facilities or programs that are licensed or operated by the Developmental Disabilities Administration or operating by waiver under [§ 7-903\(b\)](#) of this article;
- (3) Identify patterns and systemic problems and ensure consistency in the review process; and
- (4) Make recommendations to the Secretary and the Secretary of Disabilities to prevent avoidable injuries and avoidable deaths and improve quality of care.

#### Credits

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2001, c. 640, § 1, eff. Oct. 1, 2001](#); [Acts 2006, c. 268, § 1, eff. July 1, 2006](#); [Acts 2014, c. 460, § 1, eff. July 1, 2014](#); [Acts 2015, c. 469, § 2, eff. Oct. 1, 2015](#).

#### Editors' Notes

#### ABROGATION

<Acts 2006, c. 268, is abrogated effective at the end of December 31, 2022, under the terms of § 3 of that Act, as amended by Acts 2009, c. 48, § 1; Acts 2009, c. 49, § 1; Acts 2012, c. 340, § 1; Acts 2012, c. 341, § 1.>

MD Code, Health - General, § 5-803, MD HEALTH GEN § 5-803

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-804

§ 5-804. Committee members

Effective: March 14, 2016

[Currentness](#)

**Composition**

(a) The Committee shall consist of 18 members appointed by the Secretary, including the following:

- (1) A licensed physician who is board certified in an appropriate specialty;
- (2) A psychopharmacologist;
- (3) A licensed physician on staff with the Department;
- (4) Two specialists, one in the field of developmental disabilities and one in the field of mental health;
- (5) Two licensed providers of community services, one for persons with developmental disabilities and one for persons with mental illnesses;
- (6) Two consumers, one with a developmental disability and one with a mental illness;
- (7) Two family members, one representing a consumer with a developmental disability and one representing a consumer with a mental illness;
- (8) The Deputy Secretary for Behavioral Health or the Deputy Secretary's designee;
- (9) The Director of the Office of Health Care Quality;
- (10) A licensed physician representative from the Medical Examiner's Office;

(11) A licensed nurse who works with persons with developmental disabilities in a program operated by a State licensed provider in the community;

(12) A member of an advocacy group for persons with disabilities; and

(13) Two members of advocacy groups, one for persons with developmental disabilities and one for persons with mental illnesses.

#### **Terms**

(b)(1) The term of each member appointed under subsection (a)(1), (2), (4), (5), (6), and (10) of this section is 3 years.

(2) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

(3) A member may not be appointed for more than two consecutive full terms.

(4) The terms of the members are as follows:

(i) One-third of the members shall be appointed for terms of 3 years commencing October 1, 2000;

(ii) One-third of the members shall be appointed for terms of 2 years commencing October 1, 2000; and

(iii) One-third of the members shall be appointed for terms of 1 year commencing October 1, 2000.

(5) At the end of a term, a member continues to serve until a successor is appointed.

#### **Removal**

(c) The Secretary may remove any member of the Committee for good cause.

#### **Compensation and reimbursement for expenses**

(d) A member of the Committee:

(1) May not receive compensation for service on the Committee; but

(2) Is entitled to reimbursement for expenses under the Standard State Travel Regulations,<sup>1</sup> as provided in the State budget.

### **Staff**

(e) The Committee shall be staffed by the Department.

### **Persons ineligible for membership**

(f)(1) An employee of the Developmental Disabilities Administration or the Behavioral Health Administration may not be a member of the Committee or any subcommittee of the Committee.

(2) The Director of the Office of Health Care Quality may not serve on a subcommittee of the Committee or vote on the disposition of an individual mortality review that was previously reviewed by the Office of Health Care Quality.

### **Chairperson**

(g) The Secretary shall select a chair from among the members of the Committee.

### **Quorum**

(h) A quorum of the Committee shall be a majority of the appointed membership of the Committee.

### **Meetings**

(i) The Committee shall meet not less than three times a year.

### **Credits**

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2001, c. 640, § 1, eff. Oct. 1, 2001](#); [Acts 2006, c. 268, § 1, eff. July 1, 2006](#); [Acts 2009, c. 48, § 1, eff. Oct. 1, 2009](#); [Acts 2009, c. 49, § 1, eff. Oct. 1, 2009](#); [Acts 2014, c. 460, § 1, eff. July 1, 2014](#); [Acts 2014, c. 539, § 2](#); [Acts 2016, c. 8, § 1, eff. March 14, 2016](#).

### **Footnotes**

<sup>1</sup> [COMAR 23.02.01.01 et seq.](#)

MD Code, Health - General, § 5-804, MD HEALTH GEN § 5-804

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.



West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-805

§ 5-805. Individuals with developmental disabilities  
or mental illness; review of death reports

Effective: October 1, 2015

[Currentness](#)

**In general**

(a)(1) Except as provided in paragraph (3) of this subsection, the Office of Health Care Quality shall review each death of an individual with developmental disabilities or with a mental illness who, at the time of death, resided in or was receiving services from any program or facility licensed or operated by the Developmental Disabilities Administration or operating by waiver under § 7-903(b) of this article, or any program approved, licensed, or operated by the Department under § 10-406 of this article or any program identified in § 10-713(a) of this article.

(2) The Office of Health Care Quality may not review the care or services provided in an individual's private home, except to the extent needed to investigate a licensed provider that offered services at that individual's home.

(3) Unless a member of the Committee requests a review, the Office of Health Care Quality may choose not to review a death if the circumstances, based on reasonable judgment, are readily explained and require no further investigation.

**Deadline for filing report**

(b) Within 14 days of the completion of each investigation, the Office of Health Care Quality shall submit to the Committee its final report for each death.

**Duties of Committee**

(c) The Committee shall:

(1) Review each death report provided by the Office of Health Care Quality; or

(2) Appoint a subcommittee of at least four members, one of whom shall be a licensed physician or nurse, to review death reports and report and make recommendations to the full Committee.

### Review procedures

(d)(1) On review of the death report, if the Committee or its subcommittee determines that further investigation is warranted, the Committee or subcommittee may request additional information, including consumer records, medical records, autopsy reports, and any deficiency statements and plans of correction.

(2) The Committee or subcommittee may choose to prepare questions for the provider, State residential center director, or other relevant person or may request the attendance of the provider, director, or other relevant person at a Committee or subcommittee meeting.

(3) Except as provided in paragraph (2) of this subsection, Committee members may not communicate directly with the provider, a State residential center director, a State psychiatric superintendent, or a family member or guardian of the individual who is the subject of a death report.

### Credits

Added by Acts 2000, c. 470, § 1, eff. Oct. 1, 2000. Amended by Acts 2000, c. 61, § 7, eff. April 25, 2000; Acts 2001, c. 29, § 1, eff. April 10, 2001; Acts 2001, c. 640, § 1, eff. Oct. 1, 2001; Acts 2006, c. 268, § 1, eff. July 1, 2006; Acts 2014, c. 460, § 1, eff. July 1, 2014; Acts 2015, c. 469, § 2, eff. Oct. 1, 2015.

MD Code, Health - General, § 5-805, MD HEALTH GEN § 5-805

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-806

## § 5-806. Committee access to information and records

Effective: March 14, 2016

[Currentness](#)

Upon request of the chair of the Committee or subcommittee, and as necessary to carry out the purpose of the Committee, the following shall immediately provide the Committee or subcommittee with access to information and records regarding an individual whose death is being reviewed:

- (1) A provider of medical care, including dental and mental health care;
- (2) A State or local government agency; and
- (3) A provider of residential or other services.

### Credits

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2006, c. 268, § 1, eff. July 1, 2006](#); [Acts 2016, c. 8, § 1, eff. March 14, 2016](#).

MD Code, Health - General, § 5-806, MD HEALTH GEN § 5-806

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-806.1

## § 5-806.1. Aggregate incident data

### Currentness

#### **In general**

(a)(1) The Office of Health Care Quality shall provide aggregate incident data to the Committee once every 3 months.

(2) When providing aggregate incident data to the Committee, to the extent practicable, the Office of Health Care Quality shall identify trends and patterns that may threaten the health, safety, or well-being of an individual.

#### **Review**

(b) The Committee shall review the aggregate incident data and make findings and recommendations to the Department on system quality assurance needs.

#### **Consultation of experts**

(c) The Committee may consult with experts as needed to carry out the provisions of this section.

#### **Credits**

Added by [Acts 2006, c. 268, § 1](#), eff. July 1, 2006.

#### **Editors' Notes**

#### **ABROGATION**

<[Acts 2006, c. 268](#), is abrogated effective at the end of December 31, 2022, under the terms of § 3 of that Act, as amended by [Acts 2009, c. 48, § 1](#); [Acts 2009, c. 49, § 1](#); [Acts 2012, c. 340, § 1](#); [Acts 2012, c. 341, § 1](#).>

MD Code, Health - General, § 5-806.1, MD HEALTH GEN § 5-806.1

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-807

§ 5-807. Immunity from liability

Currentness

A person shall have the immunity from liability under [§ 5-637 of the Courts Article](#) for any action as a member of the Committee or for giving information to, participating in, or contributing to the function of the Committee or subcommittee.

**Credits**

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2006, c. 44, § 1, eff. April 8, 2006](#); [Acts 2006, c. 268, § 1, eff. July 1, 2006](#).

MD Code, Health - General, § 5-807, MD HEALTH GEN § 5-807

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-808

## § 5-808. Committee reports for public distribution

Effective: July 1, 2014 to December 31, 2022

[Currentness](#)

<Section effective through December 31, 2022. See, also, section effective January 1, 2023.>

### **In general**

- (a)(1) At least once in a calendar year, the Committee shall prepare a report for public distribution.
- (2) The report shall include aggregate information that sets forth the numbers of deaths reviewed, the ages of the deceased, causes and circumstances of death, a review of aggregate incident data, a summary of the Committee's activities, and summary findings.
- (3) Summary findings shall include patterns and trends, goals, problems, concerns, final recommendations, and preventative measures.
- (4) Specific individuals and entities may not be identified in any public report.
- (5) The Developmental Disabilities Administration shall provide the report to the facilities or programs that are operated or licensed by the Developmental Disabilities Administration or operating by waiver under [§ 7-903\(b\)](#) of this article.

### **Preliminary findings, recommendations**

- (b)(1) In addition to the public report issued under subsection (a) of this section, the Committee or its subcommittee may at any time issue preliminary findings or make preliminary recommendations to the Secretary, the Secretary of Disabilities, the Director of the Developmental Disabilities Administration, the Director of the Behavioral Health Administration, or to the Director of the Office of Health Care Quality.
- (2) Preliminary findings or recommendations shall be confidential and not discoverable or admissible under [§ 1-401 of the Health Occupations Article](#).

**Credits**

Added by Acts 2000, c. 470, § 1, eff. Oct. 1, 2000. Amended by Acts 2006, c. 268, § 1, eff. July 1, 2006; Acts 2014, c. 460, § 1, eff. July 1, 2014.

**Editors' Notes**

**ABROGATION**

<Acts 2006, c. 268, is abrogated effective at the end of December 31, 2022, under the terms of § 3 of that Act, as amended by Acts 2009, c. 48, § 1; Acts 2009, c. 49, § 1; Acts 2012, c. 340, § 1; Acts 2012, c. 341, § 1.>

MD Code, Health - General, § 5-808, MD HEALTH GEN § 5-808

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-809

## § 5-809. Maintenance of deliberation records

### Currentness

#### **In general**

(a) The Committee shall maintain records of its deliberations including any recommendations.

#### **Confidentiality of records**

(b)(1) Except for the public report issued under [§ 5-808\(a\)](#) of this subtitle, any records of deliberations, findings, or files of the Committee shall be confidential and are not discoverable under [§ 1-401 of the Health Occupations Article](#).

(2) This subsection does not prohibit the discovery of material, records, documents, or other information that was not prepared by the Committee or its subcommittee and was obtained independently of the Committee or subcommittee.

#### **Civil, criminal proceedings**

(c)(1) Members of the Committee or a subcommittee of the Committee, persons attending a Committee or subcommittee meeting, and persons who present information to the Committee or subcommittee may not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a meeting.

(2) This subsection does not prohibit a person from testifying to information obtained independently of the Committee or subcommittee or that is public information.

#### **Disclosure of information**

(d)(1) Except as necessary to carry out the Committee's purpose and duties, members of the Committee or subcommittee and persons attending a Committee or subcommittee meeting may not disclose:

(i) What transpired at a meeting that is not public under this subtitle; or

(ii) Any information that is prohibited for disclosure by this section.



(2) This subsection does not prohibit the discovery of material, records, documents, or other information that was not prepared by the Committee or its subcommittee and was obtained independently of the Committee or subcommittee.

**Credits**

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2006, c. 268, § 1, eff. July 1, 2006](#).

MD Code, Health - General, § 5-809, MD HEALTH GEN § 5-809

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.

West's Annotated Code of Maryland  
Health--General  
Title 5. Death (Refs & Annos)  
Subtitle 8. Mortality and Quality Review Committee (Refs & Annos)

MD Code, Health - General, § 5-810

§ 5-810. Meetings closed to public

[Currentness](#)

Meetings of the Committee and subcommittees shall be closed to the public and not subject to Title 10, Subtitle 5 of the State Government Article.

**Credits**

Added by [Acts 2000, c. 470, § 1, eff. Oct. 1, 2000](#). Amended by [Acts 2006, c. 268, § 1, eff. July 1, 2006](#).

MD Code, Health - General, § 5-810, MD HEALTH GEN § 5-810

Current with legislation effective through July 1, 2021, from the 2021 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.

---

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.