§ 4010. Powers and duties of the commissioner and the state hospital review and planning council. 1. The commissioner shall have the power to conduct periodic inspections of hospices with respect to the fitness and adequacy of equipment, personnel, rules and bylaws, standards of service and medical care, system of accounts, records, and the adequacy of financial resources and sources of future revenues.

2. The commissioner shall seek from the federal government any waivers necessary to obtain medicare reimbursement for services provided by hospices which provide nursing services by arrangement with a certified home health agency. Subject to the approval of the director of the budget, the commissioner is authorized to seek any other federal waivers he deems necessary to improve the provision of hospice services.

3. Each hospice shall submit annually to the commissioner a complete description of its operation, including name, address, principal place of business, ownership, identification of the administrative personnel and members of the interdisciplinary team, the nature and extent of palliative and supportive care, the functions and activities performed by volunteers, a copy of all contracts and agreements entered into for the care and services it provides under arrangement, and such other information as the commissioner shall require. The commissioner shall set an annual date for submission of such information.

4. The state hospital review and planning council, by a majority vote of its members, shall adopt and amend rules and regulations, subject to the approval of the commissioner, to effectuate the provisions and purposes of this article with respect to hospices including, but not limited to, (a) the establishment of requirements for a uniform statewide system of reports and audits relating to the quality of services provided and their utilization and costs; (b) establishment by the department of schedules of rates, payments, reimbursements, grants and other charges; (c) standards and procedures relating to certificates of approval for hospices; (d) uniform standards for quality of care services to be provided by hospices; (e) requirements for minimum levels of staffing, taking into consideration the size of the hospice or the type of care and service provided, and the special needs of the persons

served; (f) standards and procedures relating to contractual arrangements between hospices and other providers of care including the provision of nursing services by contract; (g) requirements for uniform review of the appropriate utilization of services; (h) requirements for minimum qualifications and standards of training for personnel as appropriate; (i) requirements to assure that certified hospices assume total responsibility for hospice patients, including direction and coordination of all care; and (j) requirements relating to fire safety in those portions of hospice residences in which hospice patients reside and receive care, which requirements shall establish standards identical to those set forth for small residential board and care facilities in chapter 21, section 21-2 of the 1985 National Fire Protection Association 101 Life Safety Code, as in effect on the effective date of this paragraph. The commissioner may propose rules and regulations and amendments thereto for consideration by the council.