

HB 390 -- ASSISTED LIVING FACILITIES

SPONSOR: Amato

This bill requires referral agencies, individuals or entities that provide referrals to assisted living facilities for fees that are collected from either the prospective resident or the facility, to disclose to prospective residents or their representative:

(1) Documentation of the existence of any relationships between the referral agency and the assisted living facility, as specified in the bill;

(2) That the referral agency receives a fee from the assisted living facility for the referral; and

(3) Written documentation of the agreement between the referral agency and the prospective resident or representative thereof, with requirements to be included for the agreement that are specified in the bill.

The assisted living facility is:

(1) Prohibited from paying fees to the referral agency unless certain conditions are met, as specified in the bill;

(2) Required to maintain a written or electronic copy of the aforementioned agreement between the referral agency and the prospective resident or resident's representative; and

(3) Prohibited from selling or transferring contact information of the prospective resident or the resident's representative to a third party without obtaining written consent of the resident or representative.

Any referral agency that violates this section is subject to a civil penalty of up to \$500 per violation, and the Attorney General or a circuit attorney can bring a civil action on behalf of the State to seek the imposition of a civil penalty for the violation of the provisions of this bill.

This bill is similar to HCS HB 1733 (2024).