

HB 2463 -- FACILITIES THAT OFFER CARE OR SERVICES TO RESIDENTS

SPONSOR: Amato

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

- (1) Written or electronic documentation of any agreement, or acknowledgment or consent for services between the referral agency and the facility, as specified in the bill;
- (2) Written or electronic disclosure of any relationship between the referral agency and the facility, as well as any fee that the referral agency receives from the facility and a detailed description of services provided by the agency in exchange for the fee; and
- (3) The rights of the prospective resident, including to terminate the referral agency's services, to request not to be contacted in the future by the referral agency, to receive the referral agency's privacy policy, and to be informed of the referral agency's possible distribution of the resident's information to other entities.

The 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 390 (2025).