



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

TO: Assisted Living Referrers

FROM: Carol Fenderson, Deputy Director, State Programs / *C. Fenderson*
Office of Health Care Quality (OHCQ)

DATE: June 26, 2024

RE: **Passage of SB0952 – Assisted Living Programs – Assisted Living Referrers – Requirements and Prohibitions (Chapter 0839)**

Please be aware that SB0952 (Senator Hettleman) – *Assisted Living Programs – Assisted Living Referrers – Requirements and Prohibitions* was signed into law by Governor Wes Moore on May 16, 2024. The link to the bill is [here](#) and it has several implications for assisted living referrers registered with OHCQ:

- The statute, Health General 19–1813 now states that *each assisted living referrer shall maintain general liability insurance; shall require employees to obtain a criminal history records check; shall provide to the client or the client’s representative a description of the services that will be provided by the referrer; if the referrer has a financial agreement with the client or the client’s representative, shall provide the agreement to the client or the clients representative in writing or by electronic means.*
- The bill also updated the statute specifying that *an assisted living referrer may not request payment of a referral fee from an assisted living program more than two years after the assisted living referrer provided the referral.*
- *On or before September 30, 2025, an assisted living referrer shall keep a client or potential client’s medical record, as defined in 4-301 of this article, confidential and may disclose the medical record only for the purpose of making a referral if the client or potential client gives informed written, electronic or audio recorded consent.*
- *An assisted living referrer may not sell the personal data of a client, potential client, or client’s representative to another person unless the client or the client’s representative gives informed written, electronic or audio recorded consent.*

User-friendly database

The bill also required OHCQ to provide a public facing user-friendly database of assisted living referrers which has been completed in Excel and is available [here](#).

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Passage of SB0952

Timing

AL Referrers must be compliant with the data privacy requires of this bill by Oct 1, 2025. All other requirements of this bill are effective Oct 1, 2024.

OHCQ intends to promulgate regulations for assisted living referrers, consistent with HG General 19–1813 later this year. As an assisted living referrer registered with OHCQ, you will be included in the stakeholder group and receive notification of updates to our website, public meetings, and the process going forward.

If you have any questions regarding this transmittal, please contact Carol Fenderson, Dept Director, Sate Programs at 410-402-8047 or carolm.fenderson@maryland.gov