

(II) THE PERSON PROVIDING THE MEDICAL EQUIPMENT AND SUPPLIES ALSO PROVIDES OR ARRANGES TO PROVIDE THE CLIENT WITH ASSISTANCE IN THE EVENT OF EQUIPMENT FAILURE.

(C) (1) "RESIDENTIAL SERVICE AGENCY" MEANS ANY PERSON THAT IS ENGAGED IN A NONGOVERNMENTAL BUSINESS OF ~~PROVIDING EMPLOYING OR CONTRACTING WITH INDIVIDUALS TO PROVIDE~~ HOME HEALTH CARE FOR COMPENSATION TO ~~A~~ AN UNRELATED SICK OR DISABLED INDIVIDUAL IN THE RESIDENCE OF THAT INDIVIDUAL.

(2) "RESIDENTIAL SERVICE AGENCY" INCLUDES ANY AGENCY THAT EMPLOYS OR CONTRACTS WITH INDIVIDUALS DIRECTLY FOR HIRE AS HOME HEALTH CARE PROVIDERS.

(3) "RESIDENTIAL SERVICE AGENCY" DOES NOT INCLUDE:

(I) A HOME HEALTH AGENCY THAT IS LICENSED UNDER THE PROVISIONS OF SUBTITLE 4 OF THIS TITLE;

(II) A PERSON REQUIRED TO BE LICENSED AS A HOME HEALTH AGENCY UNDER THE PROVISIONS OF SUBTITLE 4 OF THIS TITLE;

(III) A HOME BASED HOSPICE CARE PROGRAM THAT IS LICENSED UNDER THE PROVISIONS OF SUBTITLE 9 OF THIS TITLE;

(IV) A HOSPITAL THAT IS LICENSED UNDER THE PROVISIONS OF SUBTITLE 3 OF THIS TITLE;

(V) A RELATED INSTITUTION THAT IS LICENSED UNDER THE PROVISIONS OF SUBTITLE 3 OF THIS TITLE;

(VI) A NURSE REGISTRY THAT IS LICENSED UNDER THE PROVISIONS OF ARTICLE 56, § 162 OF THE CODE THAT:

1. SCREENS OR REFERS INDIVIDUALS FOR A CLIENT'S SELECTION OR REJECTION, AS ITS SOLE BUSINESS OPERATION; AND

2. DOES NOT ITSELF PROVIDE ANY HOME HEALTH CARE SERVICE; ~~OR~~

(VII) PERSONAL CARE PROVIDERS UNDER THE MEDICAL ASSISTANCE PERSONAL CARE PROGRAM;

(VIII) ANY PERSON PRACTICING A HEALTH OCCUPATION THAT THE PERSON IS AUTHORIZED TO PRACTICE UNDER THE HEALTH OCCUPATIONS ARTICLE; ~~OR~~

(IX) A GROUP OF PERSONS LICENSED UNDER THE SAME TITLE OF THE HEALTH OCCUPATIONS ARTICLE PRACTICING AS A BUSINESS; OR