

19-4A-09.

A PERSON WHO OPERATES A RESIDENTIAL SERVICE AGENCY IN VIOLATION OF THE REGULATIONS ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000. EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SEPARATE OFFENSE.

19-4A-10.

EXCEPT AS PROVIDED BY FEDERAL LAW, LICENSURE UNDER THIS SUBTITLE DOES NOT ENTITLE A RESIDENTIAL SERVICE AGENCY TO REIMBURSEMENT BY A THIRD PARTY PAYOR.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

19-4A-01.

(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