

(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 the Maryland Employment Agency Act 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;

(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;

(ix) A group of persons licensed under the same title of the Health Occupations Article practicing as a business; or

(x) Residential rehabilitation services providers approved under regulations adopted by the State Mental Health Authority.

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THIS SUBTITLE DOES NOT:

~~(1) LIMIT THE RIGHT OF ANY PERSON TO PRACTICE A HEALTH OCCUPATION THAT THE INDIVIDUAL IS AUTHORIZED TO PRACTICE UNDER THE HEALTH OCCUPATIONS ARTICLE OF THE CODE;~~

~~(2) LIMIT THE RIGHT OF ANY PERSON WHO HOLDS A LICENSE UNDER THIS ARTICLE TO PERFORM ACTIVITIES AUTHORIZED BY THAT LICENSE; OR~~