

19-4A-01.

(e) (1) "Residential service agency" means any person that is engaged in a nongovernmental business of employing or contracting with individuals to provide home health care for compensation to an unrelated sick or disabled individual in the residence of that individual.

(2) "Residential service agency" includes:

(I) any agency that employs or contracts with individuals directly for hire as home health care providers; OR

(II) A NURSE REGISTRY THAT IS AN EMPLOYMENT AGENCY 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.

(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) (VII) Any person practicing a health occupation that the person is authorized to practice under the Health Occupations Article;

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