

19-4B-02.

THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF ANY PERSON WHO HOLDS A LICENSE UNDER THIS ARTICLE TO ACT AS AUTHORIZED BY THAT LICENSE.

19-4B-03.

(A) (1) A NURSING REFERRAL SERVICE AGENCY MAY RECEIVE A FEE OR OTHER COMPENSATION FOR PROVIDING ~~A SERVICE AS A REFERRAL SOURCE FOR CLIENTS AND INDEPENDENT CONTRACTORS~~ ITS SERVICES.

(2) A CONTRACTUAL ARRANGEMENT MAY PROVIDE THAT A NURSING REFERRAL SERVICE AGENCY IS NOT RESPONSIBLE FOR PAYING ANY PART OF THE COMPENSATION TO THE LICENSED HEALTH CARE PROFESSIONALS OR CARE PROVIDERS THAT THE NURSING REFERRAL SERVICE AGENCY SCREENS OR REFERS TO CLIENTS ~~FOR SERVICES.~~

(3) A NURSING REFERRAL SERVICE AGENCY MAY PROVIDE ADMINISTRATIVE ASSISTANCE ~~FOR CLIENTS.~~

~~(B) A NURSING REFERRAL SERVICE MAY NOT HAVE AN EMPLOYMENT RELATIONSHIP WITH THE LICENSED HEALTH CARE PROFESSIONALS OR CARE PROVIDERS THAT IT SCREENS OR REFERS TO CLIENTS.~~

(C) (B) A NURSING REFERRAL SERVICE AGENCY SHALL:

(1) OBTAIN A LICENSE FROM THE DEPARTMENT PRIOR TO OPERATING AS A NURSING REFERRAL SERVICE AGENCY;

(2) DEVELOP AND IMPLEMENT A PROCEDURE TO SCREEN LICENSED HEALTH PROFESSIONALS AND CARE PROVIDERS THAT INCLUDES THE FOLLOWING:

(I) IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION:

1. A STATE CRIMINAL ~~BACKGROUND~~ HISTORY RECORDS CHECK; OR

2. A PRIVATE AGENCY BACKGROUND CHECK;

(II) VERIFICATION OF CURRENT LICENSURE OR CERTIFICATION UNDER THE HEALTH OCCUPATIONS ARTICLE;

(III) A BASIC HEALTH SCREENING, INCLUDING A TUBERCULOSIS SCREENING;

(IV) VERIFICATION OF REFERENCES;

(V) VERIFICATION OF EMPLOYMENT HISTORY;

(VI) COMPLETION OF I-9 FORMS; AND

(VII) AN IN-PERSON INTERVIEW OF A LICENSED HEALTH PROFESSIONAL AND CARE PROVIDER BEFORE ANY REFERRAL OF THE INDIVIDUAL IS MADE TO A CLIENT;