

~~19-4B-08.~~

~~(A) AN INDIVIDUAL MAY NOT OPERATE, ATTEMPT TO OPERATE, OR HOLD ONE'S SELF OUT AS OPERATING A NURSING REFERRAL SERVICE AGENCY UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS SUBTITLE.~~

~~(B) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$10,000 FOR EACH SUBSEQUENT OFFENSE.~~

~~19-4B-09.~~

~~(A) AN INDIVIDUAL WHO OPERATES A NURSING REFERRAL 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.~~

~~(B) EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SEPARATE OFFENSE.~~

(A) (1) A NURSING REFERRAL SERVICE AGENCY MAY RECEIVE A FEE OR OTHER COMPENSATION FOR PROVIDING 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.

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

(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 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;