

HOUSE BILL 759

O2

71r0781

By: **Delegate V. Clagett**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Continuing Care in a Retirement Community – Subscriber Advocacy Fees**

3 FOR the purpose of authorizing subscribers in a continuing care retirement
4 community to withhold a certain percentage of a monthly fee if a provider pays
5 a certain percentage of monthly fees for membership in a certain association;
6 authorizing subscribers to pay the money withheld to a certain association or
7 group that engages in certain advocacy activities; prohibiting any decrease in
8 monthly fees to be the basis for a fee increase by the provider; and generally
9 relating to subscriber fees for continuing care in a retirement community.

10 BY adding to

11 Article – Human Services

12 Section 10–405

13 Annotated Code of Maryland

14 (As enacted by Chapter ___ (S.B. 6) of the Acts of the General Assembly of 2007)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Human Services**

18 **10–405.**

19 (A) **IF BASED ON THE NUMBER OF INDEPENDENT LIVING BEDS IN A**
20 **PROVIDER’S FACILITY THE PROVIDER PAYS A PERCENTAGE OF THE**
21 **SUBSCRIBERS’ MONTHLY FEES FOR MEMBERSHIP IN AN ASSOCIATION THAT**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **ENGAGES IN LEGISLATIVE AND REGULATORY ADVOCACY, A SUBSCRIBER MAY**
2 **WITHHOLD AN EQUIVALENT PERCENTAGE FROM THE SUBSCRIBER'S MONTHLY**
3 **FEE.**

4 **(B) A SUBSCRIBER WHO WITHHOLDS A PERCENTAGE OF THE MONTHLY**
5 **FEE IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION MAY PAY THE**
6 **MONEY TO AN ASSOCIATION OR GROUP THAT:**

7 **(1) IS CHOSEN BY THE SUBSCRIBER;**

8 **(2) IS COMPRISED OF SUBSCRIBERS ONLY; AND**

9 **(3) ENGAGES IN LEGISLATIVE AND REGULATORY ADVOCACY ON**
10 **BEHALF OF SUBSCRIBERS.**

11 **(C) THE RESULTING DECREASE IN MONTHLY FEES PAID BY**
12 **SUBSCRIBERS TO THE PROVIDER MAY NOT BE THE BASIS FOR A FEE INCREASE**
13 **BY THE PROVIDER.**

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
15 **October 1, 2007.**