

## Article - Health - General

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§15–901.

(a) In this subtitle the following words have the meanings indicated.

(b) “Independent home care provider” means an individual who:

(1) Provides home care services that are directly reimbursed by the State or a fiscal intermediary functioning on behalf of the State, and not by an agency or business that employs employees or refers independent contractors as home care providers, under:

(i) The Medicaid Waiver for Older Adults that is jointly administered by the Department and the Department of Aging as established under § 15–132 of this title, or any successor program;

(ii) The Medicaid Personal Care Program under the State Medical Assistance Program, or any successor program;

(iii) The Living at Home Waiver Program under Subtitle 8 of this title, or any successor program; and

(iv) The In–Home Aide Service Program administered by the Department of Human Resources, or any successor program;

(2) Is not employed or referred by an agency or business that employs employees or refers independent contractors as home care providers;

(3) Contracts directly with a program participant for home care services; and

(4) Provides home care services to a program participant personally and does not subcontract with any other party to provide the services to a program participant.

(c) (1) “Provider organization” means an organization that:

(i) Includes independent home care providers; and

(ii) Has as one of its purposes the representation of independent home care providers in their relations with the State.

(2) “Provider organization” does not include an agency or business that employs employees or refers independent contractors as home care providers.

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