

SB0952/993122/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 952
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “maintenance and”; in line 7, strike “documents” and substitute “descriptions of services”; in line 9, strike “and selling certain data”; and in line 11, after the semicolon insert “requiring an assisted living referrer to comply with certain data privacy provisions on certain dates.”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 25, inclusive, and substitute:

“(7) SHALL PROVIDE TO THE CLIENT OR THE CLIENT’S REPRESENTATIVE A DESCRIPTION OF THE SERVICES THAT WILL BE PROVIDED BY THE REFERRER;

“(8) IF THE REFERRER HAS A FINANCIAL AGREEMENT WITH THE CLIENT OR THE CLIENT’S REPRESENTATIVE, SHALL PROVIDE THE AGREEMENT TO THE CLIENT OR THE CLIENT’S REPRESENTATIVE IN WRITING OR BY ELECTRONIC MEANS; AND”.

On page 3, in line 9, after the semicolon insert “OR”; strike beginning with the semicolon in line 12 down through “PERSON” in line 14; and after line 20, insert:

“(F) (1) ON OR BEFORE SEPTEMBER 30, 2025, AN ASSISTED LIVING REFERRER:

(I) SHALL KEEP A CLIENT OR POTENTIAL CLIENT’S MEDICAL RECORD, AS DEFINED IN § 4-301 OF THIS ARTICLE, CONFIDENTIAL AND MAY

DISCLOSE THE MEDICAL RECORD ONLY FOR THE PURPOSE OF MAKING A REFERRAL IF THE CLIENT OR POTENTIAL CLIENT GIVES INFORMED WRITTEN, ELECTRONIC, OR AUDIO RECORDED CONSENT; AND

(ii) MAY NOT SELL THE PERSONAL DATA OF A CLIENT, POTENTIAL CLIENT, OR CLIENT'S REPRESENTATIVE TO ANOTHER PERSON UNLESS THE CLIENT OR THE CLIENT'S REPRESENTATIVE GIVES INFORMED WRITTEN, ELECTRONIC, OR AUDIO RECORDED CONSENT.

(2) ON OR AFTER OCTOBER 1, 2025, AN ASSISTED LIVING REFERRER SHALL COMPLY WITH ALL APPLICABLE DATA PRIVACY LAWS."