



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B.1086

assisted living facilities; referral agencies

Purpose

Prohibits a referral agency from collecting a fee from an assisted living facility or home for a resident's move-in after the resident terminates use of the referral agency's services.

Background

An assisted living referral agency must disclose to a prospective resident or the prospective resident's representative, by the time a referral is made for care at an assisted living facility or home, all of the following: 1) any business, financial, ownership or familial relationship between the referral agency and the assisted living facility or home; 2) that the assisted living facility or home pays a fee to the referral agency regarding the referral; and 3) the amount or good faith estimate of the fee that the assisted living facility or home will pay to the referral agency. The referral agency may describe the fee as a dollar amount or as a percentage of the prospective resident's first month's rent and care charges at the assisted living facility or home.

The prospective resident may terminate all services of the referral agency at any time by providing a written or electronic termination notice. Upon receipt of the termination notice, the referral agency may not collect any fee for the resident's move-in after the date of the notice unless either of the following applies: 1) the assisted living facility or home chosen by the resident was specifically identified and referred to the resident by the referral agency within 12 months of the resident's termination notice; or 2) the referral agency provides documentation to the assisted living facility or home that the resident requested referral services before the resident's admission to the assisted living facility or home ([A.R.S. § 36-446.14](#))

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a referral agency from collecting a fee for a resident's move-in to a referred assisted living facility or home after a resident terminates use of the referral agency's services, regardless of whether:
 - a) the assisted living facility or home chosen by the resident was specifically identified and referred to the resident by the referral agency within 12 months of the resident's termination notice; or
 - b) the referral agency provides documentation to the assisted living facility or home that the resident requested referral services before the resident's admission to the assisted living facility or home.

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2. Makes technical and conforming changes.
3. Becomes effective on the general effective date.

Prepared by Senate Research
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MM/KS/slp