



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: HHS DP 7-0-0-0 | 3rd Read 29-0-1-0

SB 1086: assisted living facilities; referral agencies

Sponsor: Senator Shope, LD 16

Committee on Health & Human Services

Overview

Removes a referral agency's ability to collect a fee for a resident's move-in after the resident terminates use of the referral agency's services.

History

A referral agency must disclose in a form to any prospective resident or representative of a prospective resident at the time or before any referral is made for care at an assisted living facility or assisted living home of the following: 1) the existence of any current business relationship or any common ownership or control and any other financial, business, management or familial relationship that exists between the referral agency and the assisted living facility or assisted living home; 2) that the assisted living facility or assisted living home pays a fee to the referral agency in connection with the referral; and 3) the amount of the fee that the assisted living facility or assisted living 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 facility or home.

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

Provisions

1. Eliminates the ability for a referral agency to collect a fee for the resident's move-in after the date of the termination notice if:
 - a) the assisted living facility or assisted living home chosen by the resident within 12 months after the date of termination was specifically identified and referred to the resident after evaluating the prospective resident's profile and requests before the resident delivered the notice of termination; or
 - b) the referral agency provides documentation to the assisted living facility or assisted living home that the resident communicated with the referral agency for referral

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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services before the resident's admission to the assisted living facility or assisted living home. (Sec. 1)

2. Makes technical and confirming changes. (Sec. 1)