

**SB 749 STAFF MEASURE SUMMARY**

**Senate Committee On Human Services, Mental Health and Recovery**

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**Prepared By:** C. Ross, Counsel

**Meeting Dates:** 3/9

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**WHAT THE MEASURE DOES:**

Establishes registration and disclosure requirements applicable to residential care referral agents, as defined, excluding public bodies, residential care facility personnel, and health care professionals as specified.

Requires the Department of Human Services (DHS) to adopt rules concerning qualifications for registration of residential care referral agents; setting a renewal fee under \$750; and requiring applicant identity, compliance with disclosure obligations, proof of \$1 million general liability insurance, and background checks for those in direct contact with clients. Requires renewal every two years. Allows DHS to assess civil penalty for violations.

Requires individuals who receive compensation for making referrals to residential care facilities for clients under 18, to register with and pay DHS \$750, and to disclose specified information to clients within two days of making a referral and at least seven days before a client is placed, including: information about the referring agent, the facility and its personnel, and about the referring agent's relationship with the facility. Requires referral agents to provide information specific to the facility, to enable clients to report regulatory violations or suspected abuse. Prohibits a referral agent that has been compensated by a facility for a referral, from receiving additional compensation from a subsequent facility when a client notifies them they are moving to the subsequent facility using another referral agent. Requires contracts between referral agents and facilities to include this prohibition. Adds conduct in violation with the preceding provisions to the list of unlawful trade practices.

Adds residential care referral agents to list of mandatory reporters of child abuse.

Declares emergency, effective on passage

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**