

Family Choice Act C.R.S. 6-1-729

HB19-1268

Assisted living residence - referral agency - disclosures required - documentation - penalties.

The act requires an individual or entity who, for a fee, refers a prospective resident to an assisted living residence to disclose any business relationships that the referring party has with the assisted living residence. The individual or entity must also disclose that the assisted living residence pays for the referral.

The act requires written or electronic documentation of the disclosure to be provided to and maintained by the assisted living residence. The referring party is subject to a civil penalty for a violation. The attorney general or district attorney in the appropriate county is authorized to bring a civil action to seek a civil penalty or to enjoin the referring party from any further violation.

HB20-1101

The act requires an agreement between an assisted living residence referral agency and a prospective resident of an assisted living residence to be in writing and include:

- The right of the prospective resident or representative of the prospective resident to terminate the referral agency's services for any reason at any time; and
- A requirement that the referral agency communicate the cancellation of the agreement to all assisted living residences to which the prospective resident has been referred.

The act prohibits an assisted living residence from:

- Paying a referral fee to a referral agency if the agreement between the referral agency and the prospective resident has been terminated; and
- Selling the prospective resident's or prospective resident's representative's contact information to a third party without written consent. The act expands the definition of "assisted living residence" to include a facility operated for persons with intellectual and developmental disabilities.

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Prepared by The Kyle Hays Group