

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3808</b>
<b>Version:</b>	<b>FA1</b>
<b>Request Number:</b>	<b>10750</b>
<b>Author:</b>	<b>Rep. Burns</b>
<b>Date:</b>	<b>3/15/2024</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

The floor substitute to House Bill 3808 establishes regulations for referral agencies providing referrals to senior living communities. The measure establishes disclosure requirements for referral agencies, including describing the agency's service, specifying responsibility for paying referral fees, and informing consumers of their right to discontinue using the agency. In the instance that a consumer chooses to discontinue use of the agency, the measure requires that the agency communicate this decision by the consumer to all senior living communities to which the consumer has been referred. The measure requires the referral agency to make the disclosure statement available to consumers in a clear and conspicuous written physical or electronic document. It exempts senior living communities from being required to contract with or do business with a referral agency and requires the referral agency to take into account the consumers' preferences when selecting the senior living communities to which it refers the consumer. The measure also prohibits referral agencies from referring consumers to communities where they have a financial interest, collecting a fee for transfer or referral, holding power of attorney or property for consumers, or referring consumers to unlicensed communities. It outlines requirements for referral agencies, including conducting background checks on employees, maintaining liability insurance, auditing senior living communities, training employees, and providing senior living communities with the time and date of any referral made to the community and in all written contracts after November 1, 2024, the length of time that a referral agency shall be paid from the date that the referral was made. It also allows referral agencies to enter into written contracts with senior living communities for compensation based on referrals made. Additionally, the measure imposes civil penalties of \$500 for each violation and exempts referral agencies from the regulations outlined in the measure.

**CHANGES FLOOR SUBSTITUTE FROM COMMITTEE SUBSTITUTE:**

The floor substitute changes the definitions of "fee" and "senior living community." It requires that disclosure statements be made available to the consumer and expands on the provisions regarding referral agency requirements and restrictions.

Prepared By: Matthew Brenchley

**Fiscal Analysis**

The floor substitute does not alter the fiscal impact of the measure. In its current form, HB3808 is not anticipated to have a direct fiscal impact on the state budget or appropriations.

Prepared By: Zach Lein, House Fiscal Staff

**Other Considerations**

None.

© 2024 Oklahoma House of Representatives, see Copyright Notice at [www.okhouse.gov](http://www.okhouse.gov)