

Preliminary Exposure Draft

For Comment and Review

Text of Model Fiduciary Duty Act

1. This Law shall be known as “The Continuing Care at Home Fiduciary Act.”
2. The legislature finds that contracts to provide continuing care are instruments of trust that call for the highest integrity by those who provide such care.
3. Accordingly, contracting entities marketing such contracts and providing services pursuant to such contracts, and the officers who carry out such contracts, shall be considered fiduciaries in the performance of such acts and duties.
4. This law shall be effective for all continuing care services provided on or after the effective date of January 1, 20??.