

MEMORANDUM

TO: AHCA/NCAL Members
FROM: Lilly Hummel, NCAL Senior Director of Policy
SUBJECT: 2016 Agreement with Motion Picture Licensing Corporation
DATE: August 24, 2016

Motion picture showings within senior living and health care communities have always required a public performance license in accordance with the U.S. Copyright Act. Over time, public awareness of intellectual property rights has grown along with enforcement of federal copyright law. As a result, the American Health Care Association and the National Council for Assisted Living (AHCA/NCAL), and all other leading industry associations including, LeadingAge, National Association of Activity Professional (NAAP), American Senior Housing Association (ASHA), and Argentum have entered into a new agreement with Motion Picture Licensing Corporation (MPLC).

The 2016 Agreement better educates our members on the need for copyright compliance when motion pictures and other audiovisual programs are shown in senior living and health care communities, and secures the greatest possible discount for member facilities on the Umbrella License®.

Best of all, AHCA/NCAL is pleased to announce that all associations have collectively negotiated a special introductory discount of almost 40% for qualifying member facilities that secure an Umbrella License before December 31, 2016.

Adopted in 1976, the U.S. Copyright Act, Title 17 of the United States Code, establishes that the public performance of copyrighted motion pictures and other audiovisual programs that are legally available and intended for personal, private use only, such as DVDs and other digital formats, whether streamed or downloaded (hereinafter referred to as "Videos"), is illegal without a public performance license.

This legal requirement applies equally to for and non-profit senior living and health care communities, even if no admission fee is charged. It does not matter who plans or conducts the exhibition. Residents playing movies for other residents in communal areas also fall under copyright control and can expose the entire community to substantial fines.

The [2016 Agreement](#) establishes guidelines for the licensing of motion picture exhibitions in all senior living and health care communities regardless of the level of care provided or the license status of the community.

The Agreement states that:

- All communities, regardless of their type or license status, must obtain licensure for exhibitions of Videos transmitted over a closed circuit television system or in-house channel.
- All communities, regardless of their type or license status, must obtain licensure for exhibitions of Videos in common areas such as a theater, lounge, or community room.
- Assisted living, nursing and rehabilitation units receive a reduced rate on the license. Minimum fees are waived for campuses that are strictly nursing, assisted living, or rehabilitation.
- AHCA/NCAL has secured a special introductory rate of only \$2 per unit for all assisted living, nursing, and rehabilitation units licensed before December 31, 2016. This discount reflects a savings of almost 40% off standard license fees and cannot be combined with any other discounts.
- Members of AHCA/NCAL or the other associations above receive a 10% discount on standard Umbrella License fees.

The complete terms of the [2016 Agreement](#) are available online for our members. AHCA/NCAL encourages qualifying members to contact MPLC and secure a deeply discounted license of almost 40% off ahead of the December 31, 2016 deadline.

Since 1986, MPLC has granted the Umbrella License for the public performance of Videos. Once licensed, an unlimited number of motion pictures and other audiovisual programs can be shown in a variety of formats. Content may be obtained from any legitimate source whether purchased, borrowed, or rented via DVD, download or streaming service.

The Umbrella License provides the most comprehensive programming available from over 1,000 motion picture studios and producers ranging from major Hollywood studios to educational, independent, specialty, foreign language, documentary, and television producers. The license covers thousands of titles currently available in any legal format originally intended for personal, private use only.

If you operate assisted living, nursing or rehabilitation units, AHCA/NCAL strongly encourages you to secure an Umbrella License prior to December 31, 2016 to ensure the lowest possible license fee. Please visit the AHCA/NCAL website for the [application brochure](#). Contact MPLC directly at (800) 462-8855 or online at mplc.org for assistance with pricing and any questions about the [2016 Agreement](#) and the Umbrella License.

Showing movies remains an affordable amenity that residents have come to expect. Movies are an easy way to entertain and engage residents of all care levels. Closed circuit television can provide entertainment for residents unable to attend a movie screening in a common area, or for those who prefer the comfort of their own room. Common areas foster a sense of community through fun social events like Sunday matinees or classic movie screenings. Special family film events create the perfect environment for children and grandchildren to visit residents and participate in group activities with their loved ones. The possibilities are endless with an Umbrella License in place.

Please feel free to contact AHCA/NCAL at (202) 842-4444 with any questions about motion picture licensing requirements within our profession.