

(xi) Any other information that the Department requires] CONTINUING CARE AGREEMENT OBLIGATIONS TO SUBSCRIBERS.

(4) IN ADDITION TO THE INFORMATION REQUIRED TO BE PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, A PROVIDER SUBJECT TO SUBSECTION (A)(1) OF THIS SECTION AND ANY PROPOSED NEW PROVIDER SHALL PROVIDE TO THE DEPARTMENT ANY OTHER INFORMATION THAT THE DEPARTMENT REQUIRES TO EVALUATE THE PROPOSED TRANSACTION.

[(3)] (5) For the first fifteen days after giving the notice specified in paragraph [(1)(ii)] (2) of this subsection, subscribers may submit to the EXISTING PROVIDER, ANY PROPOSED NEW provider, and [to] the Department written questions and comments on the proposed sale or other transfer.

[(4)] (6) Not later than the 25th day after the notice specified in paragraph [(1)(ii)] (2) of this subsection, representatives of the EXISTING PROVIDER AND ANY PROPOSED NEW provider shall hold a meeting with representatives of the subscribers of the affected facility to discuss the proposed sale or other transfer. Representatives of the subscribers shall be chosen by the subscribers and may not exceed 15 in number. The names and addresses of the subscriber representatives shall be given by the representatives to the EXISTING PROVIDER, ANY PROPOSED NEW provider, and [to] the Department. Representatives of the Department may attend such meeting.

[(5)] (7) For the first 10 days after the meeting specified in paragraph [(4)] (6) of this subsection, subscribers may submit to the EXISTING PROVIDER, ANY PROPOSED NEW provider, and [to] the Department additional written comments on the proposed sale or other transfer.

(c) After reviewing the information as required in subsection (b) of this section, the Department shall make a determination as to whether the sale or other transfer satisfies the standard for approval in subsection (d) of this section. The determination by the Department shall be made by the 50th day after the date of the notice required by subsection [(b)(1)(ii)] (B)(2) of this section, unless extended by the Department for good cause. The Department shall notify the EXISTING PROVIDER, ANY PROPOSED NEW provider, and the subscriber representatives in writing of its determination and rationale AND, IF APPLICABLE, THAT IT INTENDS TO TRANSFER THE CERTIFICATE OF REGISTRATION TO THE NEW PROVIDER.

(d) The Department shall approve a sale or other transfer of ownership or control unless the Department determines that the sale or other transfer is likely to have an unreasonably adverse impact on the financial stability of the provider or is likely to have an unreasonably adverse effect on a provider's capacity to perform [its obligations under the continuing care agreements to which it is a party] CONTINUING CARE AGREEMENT OBLIGATIONS TO SUBSCRIBERS.

(e) The decision by the Department with respect to the proposed sale or other transfer is subject to appeal only by the provider in accordance with the Administrative Procedure Act. No other person shall be deemed to be a party in interest to the proceedings. If an appeal is taken by the provider, the Department