

terminations and entrance fee refunds; providing that certain actions related to the imposition of civil money penalties be taken by the Secretary; clarifying certain statutory references to certificates of registration; altering certain definitions; making certain technical and stylistic changes; and generally relating to continuing care retirement communities.

BY repealing and reenacting, with amendments,

Article 70B – Department of Aging

Section 7(v) and (dd), 9(b), 10(d) and (f), 11, 11A(b), 11B, 11C, 11D, 11E(a), 11G(b), 13(a) and (b), 15A, 17A(f), 18(a), 18A, and 22(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 70B – Department of Aging

7.

(v) “Provider” means any person who undertakes to provide continuing care and who is:

(1) The owner or operator of a facility; or

(2) An applicant for or the holder of a PRELIMINARY, INITIAL, OR RENEWAL certificate of registration.

(dd) “Transfer” means, when used in conjunction with property IN §§ 20A THROUGH 21 OF THIS SUBTITLE:

(1) The sale or other direct or indirect disposition of property or an interest in property;

(2) The fixing of a lien on property or an interest in property; or

(3) The retention of a security title to property delivered to a debtor.

9.

(b) When a provider has more than 1 facility offering continuing care, separate applications for preliminary [and final certificates of registration and renewal certificates], INITIAL, AND RENEWAL CERTIFICATES OF REGISTRATION shall be made for each facility.

10.

(d) A feasibility study may be approved by the Department when it determines that:

(1) The number of comprehensive CARE or [domiciliary] ASSISTED LIVING beds in the facility, for which licenses are required by the Department of Health and Mental Hygiene, is not inconsistent with the State health plan;