

purpose; enabling subscribers of continuing care to be deemed creditors of a provider's estate under certain circumstances; amending existing requirements for providers that seek to expand or renovate continuing care facilities; altering the time period within which a subscriber may rescind a continuing care agreement for certain purposes; defining certain terms; making certain stylistic changes; providing for the application of various portions of this Act; making a part of this Act contingent; and generally relating to continuing care contracts.

BY repealing and reenacting, with amendments,

Article 70B – Office on Aging

Section 7 through 11, 13 through 15, 17A, 20, 22, and 23

Annotated Code of Maryland

(1995 Replacement Volume)

BY adding to

Article 70B – Office on Aging

Section 11A through 11E and 21

Annotated Code of Maryland

(1995 Replacement Volume)

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

Article 70B – Office on Aging

7.

(a) [“Office” means Maryland Office on Aging.] IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “CERTIFIED FINANCIAL STATEMENT” MEANS A COMPLETE AUDIT PREPARED AND CERTIFIED BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT.

[(b)](C) (1) “Continuing care” means furnishing shelter and either medical and nursing services or other health related benefits to an individual 60 years of age or older not related by blood or marriage to the provider for the life of the individual or for a period in excess of 1 year under a written agreement that requires a transfer of assets or an entrance fee notwithstanding periodic charges.

(2) “Health related benefits” means, at a minimum, priority for nursing home admission or assistance in the activities of daily living, exclusive of the provision of meals.

(3) Medical and nursing services and other health related benefits may be covered by the entrance fee, the periodic charges, or may be purchased, at the option of the subscriber, for an additional fee.

(D) “CONTINUING CARE AGREEMENT” MEANS THE AGREEMENT BETWEEN THE PROVIDER AND SUBSCRIBER TO PROVIDE CONTINUING CARE.

(E) “DEPOSIT” MEANS A PORTION OF AN ENTRANCE FEE.