

(L) "PROCESSING FEE" MEANS THE FEE IMPOSED BY THE PROVIDER FOR DETERMINING THE FINANCIAL, MENTAL, AND PHYSICAL ELIGIBILITY OF AN APPLICANT FOR ENTRANCE INTO A FACILITY.

[(d)](M) "Provider" means [the owner or operator, whether a natural person, partnership, unincorporated association, however organized, trust, or corporation, of an institution, building, residence, or other place, whether operated for profit or not, which owner or operator] 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 CERTIFICATE OF REGISTRATION.

(N) "RECORDS" MEANS THE INFORMATION MAINTAINED BY THE PROVIDER FOR THE PROPER OPERATION OF THE FACILITY UNDER THIS SUBTITLE.

(O) "RENOVATION" MEANS ANY SINGLE CAPITAL IMPROVEMENT TO, OR REPLACEMENT OF, THE EXISTING FACILITY, OR ANY PART OF THE EXISTING FACILITY, BUT EXCLUDING NORMAL REPAIR AND MAINTENANCE, THAT WILL NOT INCREASE THE NUMBER OF INDEPENDENT OR ASSISTED LIVING UNITS AND FOR WHICH THE TOTAL PROJECTED COST IS AN AMOUNT THAT IS MORE THAN THE SUM OF:

- (1) 20% OF THE TOTAL OPERATING EXPENSES, LESS DEPRECIATION, AMORTIZATION, AND INTEREST EXPENSE OF THE FACILITY AS SHOWN ON THE CERTIFIED FINANCIAL STATEMENT FOR THE MOST RECENT FISCAL YEAR FOR WHICH A CERTIFIED FINANCIAL STATEMENT IS AVAILABLE; AND
- (2) THE AMOUNT OF THE EXISTING RESERVES PROPERLY ALLOCABLE TO, AND SO ALLOCATED FOR, THE RENOVATION.

[(e)](P) "Subscriber" means [a purchaser of, or nominee of,] AN INDIVIDUAL FOR WHOM a continuing care agreement IS PURCHASED.

(Q) "SURCHARGE" MEANS A SEPARATE AND ADDITIONAL CHARGE, OTHER THAN A SECOND PERSON ENTRANCE FEE, IMPOSED SIMULTANEOUSLY WITH THE ENTRANCE FEE, THAT MAY BE REQUIRED OF SOME BUT NOT ALL SUBSCRIBERS BECAUSE OF A CONDITION OR CIRCUMSTANCE THAT APPLIES ONLY TO THOSE SUBSCRIBERS.

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The administration of this subtitle is vested in the State Office on Aging, which shall:

- (1) Prepare and furnish all forms necessary or desirable under the provisions of this subtitle;
- (2) Establish and collect reasonable filing fees established for the implementation of this subtitle;