

[(5)](6) An actuarial study reviewed by a [certified actuary,] QUALIFIED ACTUARY and submitted every 3 years; [and]

(7) THE FORM AND SUBSTANCE OF ANY ADVERTISING CAMPAIGN OR PROPOSED ADVERTISEMENT AND OTHER PROMOTIONAL MATERIALS NOT PREVIOUSLY FILED WITH THE OFFICE; AND

[(6)](8) Any further information [which may be required by] THAT the Office REQUIRES.

(f) If the application and accompanying information is not received by the Office within the 120-day period, a late fee may be charged. Failure to file the required information within 90 days of the due date shall be a violation of this subtitle.

(g) A renewal of a certificate of registration shall be issued by the Office when it determines that:

- (1) The documents required have been filed;
- (2) Any revised continuing care agreements meet the requirements of this subtitle;
- (3) The provider has complied with § 17A of this [article] SUBTITLE if it has been found to be in financial difficulty;
- (4) When appropriate, the [facilities have] FACILITY HAS been licensed or certified by the Department of Health and Mental Hygiene or the Office; and
- (5) The FORM AND SUBSTANCE OF ALL advertising AND OTHER PROMOTIONAL materials [and circulars] filed are not deceptive, misleading, or likely to mislead.

(H) A PROVIDER SHALL FILE A REQUEST FOR APPROVAL FOR EACH RENOVATION IN A FORM SATISFACTORY TO THE OFFICE. AT LEAST 30 DAYS BEFORE FILING THE REQUEST, THE PROVIDER SHALL SUBMIT TO THE OFFICE A WRITTEN STATEMENT THAT SETS FORTH THE PROVIDER'S INTENT TO FILE A RENOVATION APPROVAL REQUEST. A REQUEST FOR APPROVAL SHALL INCLUDE:

- (1) A STATEMENT OF THE PURPOSE OF AND NEED FOR THE RENOVATION;
- (2) A FINANCIAL PLAN THAT DEMONSTRATES TO THE SATISFACTION OF THE OFFICE THAT THE RENOVATION WILL NOT HAVE AN UNREASONABLY ADVERSE ~~AFFECT~~ EFFECT ON THE FINANCIAL ABILITY OF THE PROVIDER TO FURNISH CONTINUING CARE IN ACCORDANCE WITH THE PROVIDER'S CONTINUING CARE AGREEMENTS AND THIS SUBTITLE AT THE FACILITY IDENTIFIED IN THE PLAN AND AT EACH OTHER FACILITY OF THE PROVIDER IN THE STATE; AND
- (3) ANY OTHER INFORMATION THAT THE OFFICE REQUIRES.

(I) THE OFFICE SHALL APPROVE ANY RENOVATION REQUESTED IN ACCORDANCE WITH THIS SECTION IF THE OFFICE DETERMINES THAT THE PROPOSED RENOVATION WILL NOT HAVE AN UNREASONABLY ADVERSE ~~AFFECT~~