

UNIT OR AN ASSISTED LIVING UNIT BEFORE ENTERING the continuing care community, REGARDLESS OF THE LEVEL OF CARE NEEDED BY THE SUBSCRIBERS AT THE TIME OF ADMISSION;

2. The number of comprehensive care nursing beds in the facility does not exceed 20 percent of the number of independent living units at the continuing care community; and

3. The facility is located on the campus of the continuing care community;

(iii) Except for a facility to provide kidney transplant services or programs, a kidney disease treatment facility, as defined by rule or regulation of the United States Department of Health and Human Services;

(iv) Except for kidney transplant services or programs, the kidney disease treatment stations and services provided by or on behalf of a hospital or related institution; or

(v) The office of one or more individuals licensed to practice dentistry under Title 4 of the Health Occupations Article, for the purposes of practicing dentistry.

19-125.2.

(A) NOTWITHSTANDING THE PROVISIONS OF § 19-114(E)(2)(II) OF THIS PART, A CONTINUING CARE COMMUNITY THAT QUALIFIES FOR AN EXEMPTION FROM A CERTIFICATE OF NEED UNDER § 19-114(E)(2)(II) OF THIS PART MAY ADMIT A SUBSCRIBER DIRECTLY INTO A COMPREHENSIVE CARE NURSING BED ONLY IF, AT THE TIME OF ADMISSION, THE SUBSCRIBER HAS THE POTENTIAL FOR AN EVENTUAL TRANSFER TO AN INDEPENDENT LIVING UNIT OR AN ASSISTED LIVING UNIT, AS DETERMINED BY THE ADMITTING PHYSICIAN SUBSCRIBER'S PERSONAL PHYSICIAN WHO IS NOT AN OWNER OR EMPLOYEE OF THE CONTINUING CARE RETIREMENT COMMUNITY.

(B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION AND § 19-114(E)(2)(II) OF THIS PART, A CONTINUING CARE COMMUNITY THAT QUALIFIES FOR AN EXEMPTION FROM A CERTIFICATE OF NEED UNDER § 19-114(E)(2)(II) OF THIS PART MAY NOT ADMIT A SUBSCRIBER DIRECTLY INTO A COMPREHENSIVE CARE NURSING BED IF THE DIRECT ADMISSION WOULD CAUSE THE OCCUPANCY OF THE COMPREHENSIVE CARE NURSING BEDS IN THE CONTINUING CARE COMMUNITY TO EXCEED 95 PERCENT OF FULL CAPACITY.

(C) (B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (A) AND (B) SUBSECTION (A) OF THIS SECTION AND § 19-114(E)(2)(II) OF THIS PART, WHILE A COMPREHENSIVE CARE NURSING FACILITY OF A CONTINUING CARE COMMUNITY THAT QUALIFIES FOR AN EXEMPTION FROM A CERTIFICATE OF NEED UNDER § 19-114(E)(2)(II) OF THIS PART IS UNDER CONSTRUCTION, THE TOTAL NUMBER OF COMPREHENSIVE CARE NURSING BEDS OCCUPIED BY SUBSCRIBERS WHO HAVE BEEN DIRECTLY ADMITTED TO A COMPREHENSIVE CARE NURSING BED MAY NOT