

CHAPTER 233

(House Bill 472)

AN ACT concerning

Continuing Care Agreements - Designation of a Beneficiary - Entrance Fee

FOR the purpose of requiring a continuing care agreement to allow the individual for whom the agreement is purchased to designate a beneficiary of a refundable portion of an entrance fee under certain circumstances; and generally relating to the designation of a beneficiary of certain fees paid in accordance with certain continuing care agreements.

BY repealing and reenacting, with amendments,

Article 70B - Department of Aging

Section 13(a) and (b)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 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

13.

(a) In addition to such other provisions as may be considered proper to effectuate the purpose of any continuing care agreement, each agreement executed between a subscriber and a provider shall, IN A FORM ACCEPTABLE TO THE DEPARTMENT:

(1) Show the total consideration paid by the subscriber for continuing care including the value of all property transferred, donations, entrance fees, subscriptions, monthly fees, and any other fees paid or payable by or on behalf of a subscriber;

(2) Specify all services such as food, shelter, medical care, nursing care, or other health related services, which are to be provided by the provider to each subscriber, including in detail all items which each subscriber will receive, whether the items will be provided for a designated time period or for life;

(3) Designate the classes of subscribers according to types of payment plans;

(4) Describe the procedures to be followed by the provider when the provider temporarily or permanently changes the subscriber's accommodation within the facility or transfers the subscriber to another health facility, but a subscriber's accommodations shall be changed only for the protection of the health or safety of the subscriber or the general and economic welfare of the residents;