

(1) The number of comprehensive or domiciliary beds in the facility, for which licenses are required by the Department of Health and Mental Hygiene, is not inconsistent with the State health plan;

(2) A reasonable financial plan has been developed for developing and operating the project;

(3) A market for the facility appears to exist;

(4) The feasibility study was prepared by a recognized authority;

(5) The actuarial forecast supports the projections for the project;

(6) The escrow agreement and deposit agreement are approved by the Department [and state that all deposits will be held in escrow until the issuance of a certificate of registration, construction is complete, the provider has been issued a certificate of occupancy or the equivalent by the appropriate local jurisdiction, and the provider has been issued appropriate licenses or certificates by the Department of Health and Mental Hygiene or the Department]; and

(7) The approved escrow agreement is executed by the provider and the financial institution.

(e) A provider may not enter into a continuing care agreement until the issuance of a preliminary certificate of registration by the Department. The application shall be filed in a form satisfactory to the Department and shall contain at least the following information:

(1) The name and address of the facility and the name and address of any affiliate, parent or subsidiary person;

(2) The organizational structure and management of the provider, including:

(i) If the provider is a corporation or limited liability company, the name of the corporation or limited liability company, the state in which the corporation is incorporated or the limited liability company is formed, and the name of the chief executive officer;

(ii) If the provider is a partnership, the names of the general partners, the state governing the formation of the partnership, and the name of the primary individual responsible for managing the partnership;

(iii) If the provider is an unincorporated association, the names of the members, the state governing the association's activities, and the name of the primary individual responsible for managing the association;

(iv) If the provider is a partnership having a corporation or limited liability company as one or more of its general partners, the name of the corporation or limited liability company, the state in which the corporation is incorporated or the limited liability company is formed, and the name of the chief executive officer;