

(3) ASSETS HELD IN TRUST AND ASSETS HELD ON DEPOSIT FOR THE SECURITY OR BENEFIT OF ALL SUBSCRIBERS AND CREDITORS IN THE UNITED STATES.

(P) "GOVERNING BODY" MEANS A BOARD OF DIRECTORS, BOARD OF TRUSTEES, OR SIMILAR GROUP THAT ULTIMATELY DIRECTS THE AFFAIRS OF A PROVIDER, BUT WHOSE MEMBERS ARE NOT REQUIRED TO HAVE AN EQUITY INTEREST IN THE PROVIDER.

(Q) (1) "HEALTH RELATED SERVICES" MEANS SERVICES THAT ARE NEEDED BY A SUBSCRIBER TO MAINTAIN THE SUBSCRIBER'S HEALTH.

(2) "HEALTH RELATED SERVICES" INCLUDE:

(I) PRIORITY ADMISSION TO A NURSING HOME OR ASSISTED LIVING PROGRAM; OR

(II) ASSISTANCE IN THE ACTIVITIES OF DAILY LIVING NOT INCLUDING THE PROVISION OF MEALS.

(R) "MAKING AVAILABLE EITHER MEDICAL AND NURSING SERVICES OR OTHER HEALTH RELATED SERVICES" MEANS THE PROVIDER OR AN AFFILIATE OF THE PROVIDER HAS MADE THE SERVICES READILY ACCESSIBLE FOR USE BY A SUBSCRIBER WHETHER OR NOT THE SERVICES ARE SPECIFICALLY OFFERED IN THE WRITTEN AGREEMENT FOR SHELTER.

(S) "MODIFIED CONTRACT" MEANS A CONTINUING CARE AGREEMENT THAT:

(1) WOULD BE AN EXTENSIVE CONTRACT BUT FOR ITS LIMITING THE AMOUNT OF LONG-TERM CARE SERVICES TO BE PROVIDED IN A LICENSED ASSISTED LIVING OR COMPREHENSIVE CARE PROGRAM FOR NO INCREASE IN THE PERIODIC FEE; AND

(2) PROVIDES THAT LONG-TERM CARE SERVICES IN A LICENSED ASSISTED LIVING OR COMPREHENSIVE CARE PROGRAM BEYOND THE LIMITED AMOUNT TO BE PROVIDED FOR NO INCREASE IN THE PERIODIC FEE WILL BE PROVIDED ON A PER DIEM, FEE-FOR-SERVICE, OR OTHER AGREED UPON RATE.

[(k)](T) "Person" means any natural person, firm, association, corporation, company, trust, partnership, limited liability company, public body, or other business or nonprofit entity.

[(l)](U) "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.

[(m)](V) "Provider" means 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.