

PROVIDER OR AN AFFILIATE OF THE PROVIDER, WHETHER OR NOT THE SERVICES ARE SPECIFICALLY OFFERED IN THE WRITTEN AGREEMENT FOR SHELTER:

- (1) TO AN INDIVIDUAL WHO IS AT LEAST 60 YEARS OF AGE AND NOT RELATED BY BLOOD OR MARRIAGE TO THE PROVIDER;
- (2) FOR THE LIFE OF THE INDIVIDUAL OR FOR A PERIOD EXCEEDING 1 YEAR; AND
- (3) UNDER ONE OR MORE WRITTEN AGREEMENTS THAT REQUIRE A TRANSFER OF ASSETS OR AN ENTRANCE FEE NOTWITHSTANDING PERIODIC CHARGES.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 70B, § 7(d) and (r).

In the introductory language of this section, the former phrase "for use by a subscriber" is deleted as surplusage.

The former defined term "[m]aking available either medical and nursing services or other health related services" in former Art. 70B, § 7(r) was only used in the former definition of "[c]ontinuing care" in former § 7(d). The elements of former § 7(r) are incorporated into the revised definition of "[c]ontinuing care in a retirement community" in this subsection.

In this subsection and throughout this subtitle, references to "continuing care in a retirement community" are substituted for former references to "continuing care", where appropriate, to clearly distinguish it from "continuing care at home".

Defined terms: "Entrance fee" § 10-401
"Health related services" § 10-401
"Provider" § 10-401

(H) CONTRACTUAL ENTRANCE FEE REFUND.

(1) "CONTRACTUAL ENTRANCE FEE REFUND" MEANS A REPAYMENT OF ALL OR PART OF A SUBSCRIBER'S ENTRANCE FEE TO THE SUBSCRIBER OR THE SUBSCRIBER'S ESTATE OR DESIGNATED BENEFICIARY, AS REQUIRED BY THE TERMS OF THE CONTINUING CARE AGREEMENT.

(2) "CONTRACTUAL ENTRANCE FEE REFUND" DOES NOT INCLUDE A PAYMENT REQUIRED UNDER § 10-446 OR § 10-448 OF THIS SUBTITLE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 70B, § 7(f).

In paragraph (2) of this subsection, the word "include" is substituted for the former word "mean" to conform to standard language used in definitions throughout other revised articles of the Code.