

to the end of "a provider's" fiscal year is substituted for the former reference to "the" fiscal year for clarity. Similarly, in subsection (b)(1) of this section, the reference to "120 days after the end of the provider's fiscal year" is substituted for the former reference to "the 120-day period".

In subsection (a)(2)(iii) of this section, the former reference to the next "succeeding" fiscal year is deleted as surplusage.

Defined terms: "Continuing care agreement" § 10-401

"Department" § 10-101

"Facility" § 10-401

"Financial difficulty" § 10-401

"Provider" § 10-401

#### 10-414. RENOVATIONS.

##### (A) APPROVAL REQUIRED.

A PROVIDER MAY NOT BEGIN CONSTRUCTION OF A RENOVATION UNTIL THE PROVIDER RECEIVES WRITTEN APPROVAL FROM THE DEPARTMENT.

##### (B) REQUEST FOR APPROVAL.

(1) A PROVIDER SHALL FILE WITH THE DEPARTMENT A REQUEST FOR APPROVAL FOR EACH RENOVATION.

(2) AT LEAST 30 DAYS BEFORE FILING THE REQUEST, THE PROVIDER SHALL SUBMIT TO THE DEPARTMENT A WRITTEN STATEMENT OF INTENT TO FILE A REQUEST FOR APPROVAL OF A RENOVATION.

(3) A REQUEST FOR APPROVAL OF A RENOVATION SHALL BE IN A FORM SATISFACTORY TO THE DEPARTMENT.

##### (4) A REQUEST FOR APPROVAL SHALL INCLUDE:

(I) A STATEMENT OF THE PURPOSE OF AND NEED FOR THE RENOVATION;

(II) A FINANCIAL PLAN THAT DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT THE RENOVATION WILL NOT HAVE AN UNREASONABLY ADVERSE EFFECT ON THE FINANCIAL ABILITY OF THE PROVIDER TO PROVIDE CONTINUING CARE IN ACCORDANCE WITH ITS CONTINUING CARE AGREEMENTS AND THIS SUBTITLE AT THE FACILITY TO BE RENOVATED AND AT THE PROVIDER'S OTHER FACILITIES IN THE STATE; AND

(III) ANY OTHER INFORMATION THAT THE DEPARTMENT REQUIRES.

##### (C) CONDITIONS FOR APPROVAL.

THE DEPARTMENT SHALL APPROVE A RENOVATION IF THE DEPARTMENT DETERMINES THAT THE PROPOSED RENOVATION WILL NOT HAVE AN