

UNREASONABLY ADVERSE EFFECT ON THE FINANCIAL ABILITY OF THE PROVIDER TO PROVIDE CONTINUING CARE IN ACCORDANCE WITH ITS CONTINUING CARE AGREEMENTS AND THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 70B, § 11(h) and (i).

In subsection (b)(2) of this section, the reference to a "statement of intent" is substituted for the former reference to a "statement that sets forth the provider's intent" for brevity.

In subsection (b)(4)(ii) of this section, the reference to the facility "to be renovated" is substituted for the former reference to the facility "identified in the plan" for clarity.

In subsection (c) of this section, the former reference to a renovation "requested in accordance with this section" is deleted as surplusage.

Defined terms: "Continuing care" § 10-401

"Continuing care agreement" § 10-401

"Department" § 10-101

"Facility" § 10-401

"Provider" § 10-401

"Renovation" § 10-401

10-415. EXPANSIONS.

(A) APPROVAL REQUIRED.

A PROVIDER MAY NOT BEGIN CONSTRUCTION OF AN EXPANSION 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 EXPANSION.

(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 AN EXPANSION.

(3) A REQUEST FOR APPROVAL OF AN EXPANSION 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 EXPANSION;

(II) IF THE EXPANSION INVOLVES LIVING UNITS, A PLAN THAT DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT A MARKET EXISTS FOR THE ADDITIONAL LIVING UNITS;