

(23) ALLOW A SUBSCRIBER TO DESIGNATE A BENEFICIARY TO RECEIVE ANY REFUNDABLE PORTION OF THE ENTRANCE FEE THAT IS OWED DUE TO THE DEATH OF THE SUBSCRIBER ON OR AFTER THE DATE OF OCCUPANCY, IF THE DESIGNATION IS:

- (I) IN WRITING;
- (II) WITNESSED BY AT LEAST TWO COMPETENT WITNESSES;
- (III) NOT CONTINGENT; AND
- (IV) SPECIFIED IN PERCENTAGES AND ACCOUNTS FOR 100% OF THE REFUND DUE;

(24) STATE THE FUNERAL AND BURIAL SERVICES, IF ANY, THAT THE PROVIDER WILL PROVIDE; AND

(25) CONTAIN THE FOLLOWING STATEMENT IN BOLDFACE TYPE AND IN THE LARGEST TYPE USED IN THE AGREEMENT: "A PRELIMINARY CERTIFICATE OF REGISTRATION OR CERTIFICATE OF REGISTRATION IS NOT AN ENDORSEMENT OR GUARANTEE OF THIS FACILITY BY THE STATE OF MARYLAND. THE MARYLAND DEPARTMENT OF AGING URGES YOU TO CONSULT WITH AN ATTORNEY AND A SUITABLE FINANCIAL ADVISOR BEFORE SIGNING ANY DOCUMENTS."

(C) RESTRICTIONS ON CHANGE IN ACCOMMODATIONS.

A SUBSCRIBER'S ACCOMMODATIONS MAY BE CHANGED ONLY TO PROTECT THE HEALTH OR SAFETY OF THE SUBSCRIBER OR THE GENERAL AND ECONOMIC WELFARE OF OTHER RESIDENTS.

(D) ADDITIONAL PROVISIONS.

A CONTINUING CARE AGREEMENT MAY CONTAIN, IN A FORM ACCEPTABLE TO THE DEPARTMENT, ANY OTHER APPROPRIATE PROVISION TO EFFECTUATE THE PURPOSE OF THE AGREEMENT.

(E) ASSISTED LIVING PROGRAM SERVICES.

(1) THIS SUBSECTION APPLIES IF:

(I) A PROVIDER'S CONTINUING CARE AGREEMENT INCLUDES A PROVISION TO PROVIDE ASSISTED LIVING PROGRAM SERVICES; AND

(II) THE PROVIDER DOES NOT EXECUTE A SEPARATE ASSISTED LIVING AGREEMENT.

(2) IN ADDITION TO ANY OTHER REQUIREMENT OF THIS SECTION, THE CONTINUING CARE AGREEMENT SHALL INCLUDE THE FOLLOWING PROVISIONS CONCERNING THE ASSISTED LIVING PROGRAM:

(I) A STATEMENT OF THE LEVEL OF CARE THAT THE ASSISTED LIVING PROGRAM IS LICENSED TO OFFER;