

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 70B, § 14.

In the introductory language of subsection (b)(2) of this section, the word "less" is substituted for the former word "except" for clarity.

In subsection (b)(2)(ii)1 of this section, the reference to the costs of modification "and" the reasonable costs of restoration is substituted for the former reference to "or" for accuracy.

In subsection (c)(1) of this section, the requirement that the "provider shall refund the amount described in subsection (b)(2) of this section ... within 30 days after the date of rescission" is substituted for the former phrase "the refund provisions shall be the same as those provided for in subsection (b)(1) of this section" for clarity.

The Human Services Article Review Committee suggests that the General Assembly may wish to consider clarifying the meaning of the term "extensive injuries" in subsection (d)(2) of this section.

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

"Department" § 10-101

"Entrance fee" § 10-401

"Facility" § 10-401

"Processing fee" § 10-401

"Provider" § 10-401

"Subscriber" § 10-401

10-447. SERVICES UNDER AN EXTENSIVE OR MODIFIED AGREEMENT.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "EXTENSIVE AGREEMENT" MEANS A CONTINUING CARE AGREEMENT UNDER WHICH THE PROVIDER PROMISES TO PROVIDE RESIDENTIAL FACILITIES, MEALS, AMENITIES, AND LONG-TERM CARE SERVICES IN A LICENSED ASSISTED LIVING PROGRAM OR COMPREHENSIVE CARE PROGRAM:

(I) FOR AS LONG AS THE SUBSCRIBER NEEDS THE SERVICES; AND

(II) FOR NO INCREASE IN THE SUBSCRIBER'S ENTRANCE FEE OR PERIODIC FEES, EXCEPT FOR AN ADJUSTMENT TO ACCOUNT FOR INCREASED OPERATING COSTS CAUSED BY INFLATION OR OTHER FACTORS UNRELATED TO THE INDIVIDUAL SUBSCRIBER.

(3) "MODIFIED AGREEMENT" MEANS A CONTINUING CARE AGREEMENT:

(I) UNDER WHICH THE PROVIDER PROMISES TO PROVIDE RESIDENTIAL FACILITIES, MEALS, AMENITIES, AND A LIMITED AMOUNT OF LONG-TERM CARE SERVICES IN A LICENSED ASSISTED LIVING PROGRAM OR COMPREHENSIVE CARE PROGRAM: