

1. FOR AS LONG AS THE SUBSCRIBER NEEDS THE SERVICES;
AND

2. 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; AND

(II) THAT PROVIDES THAT LONG-TERM CARE SERVICES IN A LICENSED ASSISTED LIVING PROGRAM OR COMPREHENSIVE CARE PROGRAM BEYOND THE LIMITED AMOUNT OF SERVICES TO BE PROVIDED UNDER ITEM (I) OF THIS PARAGRAPH WILL BE PROVIDED AT A PER DIEM, FEE-FOR-SERVICE, OR OTHER AGREED-UPON RATE.

(B) ASSISTED LIVING SERVICES.

(1) A PROVIDER SHALL PROVIDE THE ASSISTED LIVING SERVICES A SUBSCRIBER NEEDS IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION IF:

(I) THE SUBSCRIBER'S CONTINUING CARE AGREEMENT IS AN EXTENSIVE OR MODIFIED AGREEMENT THAT PROMISES THE PROVIDER WILL PROVIDE ASSISTED LIVING SERVICES; AND

(II) THE PROVIDER DOES NOT HAVE AN ASSISTED LIVING BED AVAILABLE AT THE FACILITY WHEN THE SUBSCRIBER NEEDS THE PROMISED CARE.

(2) THE PROVIDER SHALL PROVIDE ASSISTED LIVING SERVICES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO A SUBSCRIBER:

(I) AT THE SAME RATE THE SUBSCRIBER WOULD PAY IF AN ASSISTED LIVING BED WERE AVAILABLE; AND

(II) AT THE PROVIDER'S OPTION:

1. IN THE SUBSCRIBER'S INDEPENDENT LIVING UNIT; OR

2. IN A NEARBY LICENSED ASSISTED LIVING FACILITY.

(C) COMPREHENSIVE CARE SERVICES.

(1) A PROVIDER SHALL PROVIDE THE COMPREHENSIVE CARE SERVICES A SUBSCRIBER NEEDS IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION IF:

(I) THE SUBSCRIBER'S CONTINUING CARE AGREEMENT IS AN EXTENSIVE OR MODIFIED AGREEMENT THAT PROMISES THE PROVIDER WILL PROVIDE THE SUBSCRIBER WITH COMPREHENSIVE CARE SERVICES IF THE SUBSCRIBER NEEDS THEM; AND

(II) THE PROVIDER DOES NOT HAVE A COMPREHENSIVE CARE BED AVAILABLE WHEN THE SUBSCRIBER NEEDS THE PROMISED CARE.

(2) THE PROVIDER SHALL PROVIDE THE SERVICES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION: