

(1) THE INFORMATION AND DOCUMENTS SUBMITTED WITH THE FEASIBILITY STUDY AND APPLICATION FOR A PRELIMINARY CERTIFICATE OF REGISTRATION ARE CURRENT AND ACCURATE OR HAVE BEEN UPDATED TO MAKE THEM ACCURATE;

(2) THE REQUIRED NUMBER OF AGREEMENTS HAS BEEN EXECUTED AND THE CORRESPONDING DEPOSITS COLLECTED;

(3) ANY OTHER LICENSE OR CERTIFICATE REQUIRED BY OTHER APPROPRIATE STATE UNITS HAS BEEN ISSUED TO THE PROVIDER;

(4) THE PROVIDER HAS SUBMITTED ALL PROPOSED ADVERTISEMENTS, ADVERTISING CAMPAIGNS, AND OTHER PROMOTIONAL MATERIALS FOR THE PROGRAM;

(5) THE FORM AND SUBSTANCE OF ALL ADVERTISEMENTS, ADVERTISING CAMPAIGNS, AND OTHER PROMOTIONAL MATERIALS SUBMITTED ARE NOT DECEPTIVE, MISLEADING, OR LIKELY TO MISLEAD; AND

(6) THE PROVIDER HAS SUBMITTED ANY OTHER INFORMATION THAT THE DEPARTMENT REQUIRED.

(D) SUBMISSION OF ADVERTISEMENTS.

IF A PROVIDER INTENDS TO ADVERTISE BEFORE THE DEPARTMENT ISSUES A CERTIFICATE OF REGISTRATION UNDER SUBSECTION (C) OF THIS SECTION, THE PROVIDER SHALL SUBMIT TO THE DEPARTMENT ANY ADVERTISEMENT, ADVERTISING CAMPAIGN, OR OTHER PROMOTIONAL MATERIALS BEFORE USING IT.

(E) FAILURE TO OBTAIN CERTIFICATE OF REGISTRATION.

IF A CERTIFICATE OF REGISTRATION IS NOT ISSUED TO A PROVIDER WITHIN 24 MONTHS AFTER THE DEPARTMENT APPROVES A FEASIBILITY STUDY, OR A LONGER TIME ALLOWED BY THE DEPARTMENT FOR GOOD CAUSE SHOWN, THE PROVIDER SHALL REFUND ALL DEPOSITS COLLECTED AND STOP OFFERING CONTINUING CARE AT HOME SERVICES UNDER THAT APPLICATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 70B, § 22A(j), (k), (l), and (m).

In subsection (b)(2)(ii) of this section, the reference to the "program" is substituted for the former reference to the "provider" for consistency throughout this part.

Also in subsection (b)(2)(ii) of this section, the reference to filing "the application" is substituted for the former reference to filing "for the certificate of registration" for brevity and clarity.

In subsection (b)(2)(iii) of this section, the reference to "verification that" other licenses or certificates have been issued is added for clarity.

In subsection (c)(5) of this section, the former reference to being "approved by the Department" is deleted as redundant.