(5) THERE HAS BEEN A SIGNIFICANT DECLINE IN THE OCCUPANCY RATE THAT IS LIKELY TO HAVE A MATERIAL ADVERSE FINANCIAL IMPACT ON THE PROVIDER;

(6) THERE HAS BEEN A MATERIAL ADVERSE CHANGE IN DEBT SERVICE COVERAGE RATIO FOR AN EXTENDED PERIOD OF TIME THAT REDUCES THE RATIO TO LESS THAN 1.0;

(7) THERE HAS BEEN A SIGNIFICANT DECLINE IN DAYS CASH ON HAND THAT IS UNRELATED TO ADDITIONS TO PROPERTY, PLANT, AND EQUIPMENT OR OTHER COMMUNITY ENHANCEMENTS AND THAT COULD RESULT IN AN INABILITY TO PAY OBLIGATIONS OF THE PROVIDER AS THEY BECOME DUE;

(8) THERE HAS BEEN A SIGNIFICANT INCREASE IN THE OPERATING RATIO, ADJUSTED FOR UNREALIZED GAINS AND LOSSES ON INVESTMENTS, THAT COULD RESULT IN THE INABILITY OF THE PROVIDER TO MEET ITS OBLIGATIONS; OR

(9) THE REFUSAL OR INABILITY OF THE PROVIDER TO PROVIDE ACCURATE INFORMATION OR DATA REQUIRED TO BE SUBMITTED TO THE DEPARTMENT UNDER THIS SUBTITLE AND RELATED REGULATIONS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 70B, § 17A(h).

In item (5) of this section, the reference to the financial impact "on the provider" is added for clarity.

Also in item (5) of this section, the reference to a "significant decline in the occupancy rate" is substituted for the former reference to a "significant declining occupancy" for accuracy since it would be the occupancy rate that would be declining.

Defined terms: "Department" § 10–101
"Provider" § 10–401

10–470. RESERVED.

10–471. RESERVED.

PART VIII. DELINQUENCY PROCEEDINGS.

10–472. DEFINITIONS.

(A) IN GENERAL.

IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language added as the standard introductory language to a definition section.

(B) CREDITOR.

"CREDITOR" MEANS A PERSON WITH A CLAIM AGAINST A PROVIDER.