

(9) The form and substance of any advertising campaign, advertisement, or other promotional material for the facility THAT HAS not BEEN previously [approved by] FILED WITH the Office; and

(f) If the provider plans to advertise before having a certificate of registration issued under § 11 of this subtitle, the form and substance of any advertisement or advertising campaign must be submitted to the Office [and approved] before the advertisement or advertising campaign may be used.

11C.

(a) (1) The provider shall furnish without cost to all prospective subscribers, before payment of any part of the entrance fee or, if earlier, the execution of a continuing care agreement, and annually to all subscribers on request, a disclosure statement for each facility of the provider holding a preliminary certificate of registration or a certificate of registration.

(2) The provider shall submit its initial disclosure statement to the Office for review at least 45 days before distributing the statement to any prospective subscribers.

(c) The disclosure statement shall include:

(4) A description of all BASIC fees, including entrance fees, [health care] fees FOR HEALTH RELATED SERVICES, and periodic fees, collected by the provider from subscribers, setting forth the amount and frequency of the fee changes during each of the previous 5 years. If the facility has been in operation less than 5 years, then the description shall be for each year that it has been in operation;

(15) If applicable, a description of the conditions under which the provider may be issued a certificate of registration and may use escrowed deposits, and a statement of the amount of the subscriber's deposit that may be used [on issuance of a certificate of registration];

11E.

(a) (1) A provider that holds a certificate of registration may not sell, transfer, or otherwise dispose of assets in any 12-month period in excess of 10% of its total assets based on its latest certified financial statements that are available at the time the sale, transfer, or other disposition is made, unless the provider obtains the approval of the Office for the sale, transfer, or other disposition in accordance with this section.

(b) The following transactions are not considered sales, transfers, or other dispositions of assets for purposes of subsection (a)[(1)] of this section:

(1) Those undertaken under contractual obligations in effect on October 1, 1996;

(2) Those made in the ordinary course of business of operating the facility;