

~~(D) AN APPLICANT FOR INITIAL LICENSURE SHALL SUBMIT TO THE SECRETARY EVIDENCE THAT AFFIRMATIVELY DEMONSTRATES THE ABILITY OF THE APPLICANT TO:~~

~~(1) COMPLY WITH MINIMUM STANDARDS OF:~~

~~(I) MEDICAL CARE;~~

~~(II) NURSING CARE;~~

~~(III) FINANCIAL CONDITION; AND~~

~~(IV) ANY OTHER APPLICABLE STATE OR FEDERAL LAWS AND REGULATIONS; AND~~

~~(2) OBTAIN LIABILITY INSURANCE IN THE AMOUNT REQUIRED BY THE DEPARTMENT.~~

~~(E) THE SECRETARY SHALL EVALUATE THE BACKGROUND AND QUALIFICATIONS OF:~~

~~(1) A PARTNER, OFFICER, DIRECTOR, OR MANAGING EMPLOYEE OF THE APPLICANT;~~

~~(2) ANY PERSON WHO OWNS OR CONTROLS THE PHYSICAL PLANT OF A FACILITY IN WHICH THE NURSING HOME OPERATES OR PLANS TO OPERATE; AND~~

~~(3) A CONTROLLING PERSON WITH RESPECT TO THE NURSING HOME FOR WHICH A LICENSE IS REQUESTED.~~

~~(F) IN MAKING THE EVALUATION REQUIRED UNDER SUBSECTION (E) OF THIS SECTION, THE SECRETARY SHALL REQUIRE AN APPLICANT OR ANY OTHER PERSON DESCRIBED IN SUBSECTION (E) OF THIS SECTION WHO OPERATED A NURSING HOME IN ANOTHER JURISDICTION DURING THE 5 YEAR PERIOD PRECEDING THE DATE OF THE APPLICATION TO:~~

~~(1) FILE A SWORN AFFIDAVIT OF SATISFACTORY COMPLIANCE HISTORY; AND~~

~~(2) PROVIDE ANY OTHER INFORMATION REQUIRED BY THE SECRETARY TO SUBSTANTIATE THE:~~