

## Article - Health - General

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§19-124.

(a) Notwithstanding the provisions of § 19-114(d)(2)(ii) of this part, a continuing care community that qualifies for an exemption from a certificate of need under § 19-114(d)(2)(ii) of this part may admit a subscriber directly into a comprehensive care nursing bed only if, at the time of admission, the subscriber has the potential for an eventual transfer to an independent living unit or an assisted living unit, as determined by the subscriber's personal physician who is not an owner or employee of the continuing care retirement community.

(b) Notwithstanding the provisions of subsection (a) of this section and § 19-114(d)(2)(ii) of this part, the total number of comprehensive care nursing beds occupied by subscribers who have been directly admitted to a comprehensive care nursing bed may not exceed 20 percent of the total number of comprehensive care nursing beds that are available in the continuing care nursing facility.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section and § 19-114(d)(2)(ii) of this part, a continuing care retirement community that qualifies for an exemption from a certificate of need under § 19-114(d)(2)(ii) of this part may not admit a subscriber directly into a comprehensive care nursing bed if the direct admission would cause the occupancy of the comprehensive care nursing beds in the continuing care community to exceed 95 percent of full capacity.

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