

Effective 5/10/2016

31A-44-305 Disclosure statement -- Contents -- Contract.

A provider disclosure statement shall include a description of the following provisions contained in the provider's continuing care contract:

- (1) a description of the services provided under the provider's proposed continuing care contract, including a description of:
 - (a) the extent to which the provider will offer or provide medical care to a resident; and
 - (b) the services the provider includes under the contract, and the services the provider offers at an extra charge;
- (2) the fees the provider requires a resident to pay, including any entrance fees or periodic charges;
- (3) a description of the conditions, in the provider's continuing care contract, under which:
 - (a) a provider or a resident may cancel the continuing care contract;
 - (b) a provider will refund all or part of an entrance fee; or
 - (c) a provider may adjust a fee the provider charges a resident and any limitations on those adjustments;
- (4) any health or financial criteria that a resident is required to meet under the continuing care contract for acceptance to the facility or for the resident to continue living in the facility, including the effect of any change in the health or financial condition of an individual between the date of the continuing care contract and the date on which the individual initially occupies a living unit;
- (5) the provider's policy for the spouse of a resident, regarding:
 - (a) the conditions under which the spouse is allowed to live in the resident's unit; and
 - (b) the financial or other consequences to the resident if the spouse does not meet the requirements for admission;
- (6) the provider's policy regarding changes in the number of people residing in a living unit because of marriage or other relationships;
- (7) the conditions under which a living unit occupied by a resident may be made available by the provider to a different resident other than on the death of the previous resident; and
- (8) the number of continuing care contracts terminated, other than by the resident's death, at the provider's facility in the state during the three most recent calendar years.

Enacted by Chapter 270, 2016 General Session