

Effective 5/10/2016

31A-44-304 Disclosure statement -- Contents -- Provider characteristics.

A provider disclosure statement shall contain:

- (1) the name and business address of each provider officer, director, trustee, and managing or general partner of the provider;
- (2) the name and business address of each person who has at least a 10% interest in the provider and a description of the person's interest in or occupation with the provider;
- (3) a statement of whether the continuing care provider is a for-profit or not-for-profit entity, and a statement of the provider's tax-exempt status, if any;
- (4)
 - (a) the location and a description of the proposed or existing physical property of the facility; and
 - (b) if the physical property is proposed:
 - (i) the property's estimated completion date;
 - (ii) whether construction has begun; and
 - (iii) conditions known to the provider under which the property's construction could be deferred;
- (5) if the provider intends to contract with a person other than an employee of the provider to manage the operations of the facility:
 - (a) a description of the person's experience in the operation or management of a continuing care or similar facility;
 - (b) a description of any entity that controls or is controlled by the person that proposes to provide goods, leases, or services to residents of the facility, of an aggregate value of \$500 or greater in a year;
 - (c) a description of any goods, leases, or services described in Subsection (5)(b), and a statement of the probable or anticipated cost to the facility, provider, or residents for the goods, leases, or services, or a statement that the provider is unable to estimate the cost; and
 - (d) a description of any matter in which the person:
 - (i) has been convicted of a felony;
 - (ii) is subject to a restrictive court order; or
 - (iii) has had a state or federal license revoked as a result of a matter related to a continuing care facility or a related health care field; and
- (6)
 - (a) any religious, charitable, or nonprofit organization affiliated with the provider;
 - (b) the extent of the affiliation and the extent to which the organization is responsible for contractual or financial obligations of the provider; and
 - (c) the organization's tax-exempt status, if any.

Enacted by Chapter 270, 2016 General Session