

Adopt He-E 605, expired 1/1/22 and previously effective 1/1/12 (Document #10051), cited and to read as follows:

CHAPTER He-E 600 SOCIAL SERVICES

PART He-E 605 STANDARD DISCLOSURE SUMMARY

He-E 605.01 Purpose. In accordance with RSA 161-J, the purpose of these rules is to describe the “Standard Disclosure Summary” form that enables a prospective resident of an assisted living residence, independent living retirement community, or other housing for older persons to make informed choices and comparisons of the respective or prospective residential options.

He-E 605.02 Scope. He-E 605 shall apply to assisted living residences, independent living retirement communities, and housing for older persons in accordance with RSA 161-J.

He-E 605.03 Definitions.

- (a) “Assisted living residence” means “assisted living residence” as defined in RSA 161-J:2, II.
- (b) “Base rate” means the amount charged by a residence to a resident for housing and services included in the residential services agreement as required in RSA 161-J:4, II.
- (c) “Housing for older persons” means “housing for older persons” as defined in RSA 161-J:2, III.
- (d) “Independent living retirement community” means “independent living retirement community” as defined in RSA 161-J:2, III-a. This term does not include continuing care communities or condominiums in accordance with RSA 161-J: 3.
- (e) “Personal assistance” means “personal assistance” as defined in RSA 161-J:2, IV.
- (f) “Representative” means “representative” as defined in RSA 161-J:2, V.
- (g) “Residence” means “residence” as defined in RSA 161-J:2, VI.
- (h) “Resident” means “resident” as defined in RSA 161-J:2, VII.
- (i) “Standard disclosure summary” means information that a residence or independent retirement community provides to a prospective resident regarding the costs and the services options provided by the residence in accordance with RSA 161-J:4, II(j) and RSA 161-J:5.

He-E 605.04 Completion of the Standard Disclosure Summary.

- (a) Each resident, prospective resident, or the resident’s representative shall be given a standard disclosure summary by the residence in accordance with RSA 161-J:5 at least 24 hours prior to beginning residency in an assisted living residence, independent living retirement community, or other housing for older persons.
- (b) Residences and independent living retirement communities shall utilize form BEAS 3540 entitled “Standard Disclosure Summary,” (8/2022) provided by the department in accordance with RSA 161-J:4, II(j), and:

- (1) The standard disclosure summary form shall be the cover sheet for the residential services agreement described in RSA 161-J:4, II(j); and
- (2) No alteration or amendment shall be made to the content of the standard disclosure summary form with the exception of the parts of the form that allow insertion of specific information, including the insertion of the name of the residence.

APPENDIX

Rule	Specific State or Federal Statutes or Regulations the Rule Implements
He-E 605.01	RSA 161-J:1
He-E 605.02	RSA 161-J:3; RSA 161-J:4
He-E 605.03 (a)-(h)	RSA 161-J:2
He-E 605.03(i)	RSA 161-J:5
He-E 605.04	RSA 161-J