§ 460-b. Operating certificate. 1. No facility subject to inspection and supervision by the department, except a facility operated by a state department or agency, or a facility which pursuant to law is licensed or certified to operate by a state department or agency or by an authorized agency as such term is defined in section three hundred seventy-one of this chapter, shall be operated unless it shall possess a valid operating certificate issued pursuant to this article by the department, which certificate shall specify who the operator of the facility shall be, the kind or kinds of care and services such facility is authorized to provide, the capacity of the facility, the location of the facility and, except in the case of a facility operated by an authorized agency as such term is defined in paragraph (a) of subdivision ten of section three hundred seventy-one of this chapter, the duration of the period of its validity. The department shall by regulation specify the manner in which the public shall be given notice of the existence of such operating certificate.

2. Application for an operating certificate pursuant to this article shall be made upon forms prescribed by the department and in accordance with procedures established by regulations of the department. The application shall contain the name of the facility, the kind or kinds of care and services to be provided, the location and physical description of the facility, and such other information as the department may require. The application shall be approved and an operating certificate shall be issued when it is established to the satisfaction of the department that the facility meets, and will be operated in accordance with, the requirements of this article, the regulations of the department and all other applicable provisions of law including requirements as to the premises, equipment, personnel, care and services, rules, by-laws and administrative practices.

3. Each facility required to obtain an operating certificate pursuant to this section shall be required, as a condition of qualifying for or remaining qualified for such certificate, to demonstrate to the satisfaction of the department that it has taken all reasonable steps to assure that residents entitled to a personal allowance pursuant to section one hundred thirty-one-o of this chapter have in fact received

the full personal benefit of such allowance, and that proper accounting procedures have been complied with.