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Chapter 449@ Medical and Other Related Facilities

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Section 449.999474@ Determination of appropriate sanction: Basis for selection; presumption for monetary penalties

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1.

The selection of a sanction must be based upon the nature of the deficiencies or cluster of deficiencies and the sanction most likely to correct those deficiencies.

2.

Absent evidence to the contrary, monetary penalties are presumed to be the most effective sanctions for deficiencies that do not cause an immediate and serious threat to patients.

3.

The Bureau may impose a monetary penalty alone or in addition to other penalties.