

449.99899 Determination of amount of penalties

1.

In determining the amount of an initial monetary penalty, the Bureau shall consider the severity alone if the severity level is four. In determining the amount of the monetary penalty where the severity level is less than four, both severity and scope must be considered. In determining whether to impose a daily monetary penalty, the Bureau shall consider the severity and scope and the factors indicated for increased and decreased penalties provided in NAC 449.99902 and 449.99904.

2.

For initial deficiencies with a severity level of four, an initial monetary penalty of \$1,000 per deficiency must be imposed.

3.

For initial deficiencies rated with a severity level of three and a scope level of three, a monetary penalty of \$800 per deficiency must be imposed.

4.

For initial deficiencies with a severity level of three and a scope level of two or less, an initial monetary penalty of \$400 per deficiency must be imposed.

5.

For initial deficiencies with a severity level of two and a scope level of three, an initial monetary penalty of \$200 per deficiency may be imposed. The payment of

this monetary penalty must be suspended if the facility has corrected the deficiencies within the time specified in the plan of correction approved by the Bureau.

6.

In addition to any monetary penalty imposed pursuant to this section, the Bureau may impose a monetary penalty of not more than \$10 per recipient per day for each day the deficiency continues.