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Title 28@ HEALTH AND SAFETY

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Part IV@ Health Facilities

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Subpart C@ Long-Term Care Facilities

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Chapter 201@ APPLICABILITY, DEFINITIONS, OWNERSHIP AND GENERAL OPERATION OF LONG-TERM CARE NURSING FACILITIES

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Section 201.14@ Responsibility of licensee

201.14 Responsibility of licensee

(a)

The licensee is responsible for meeting the minimum standards for the operation of a facility as set forth by the Department and by other Federal, State and local agencies responsible for the health and welfare of residents. This includes complying with all applicable Federal and State laws, and rules, regulations and orders issued by the Department and other Federal, State or local agencies.

(b)

If services are purchased for the administration or management of the facility, the licensee is responsible for ensuring compliance with all applicable Federal and State laws, and rules, regulations and orders issued by the Department and other Federal, State and local agencies.

(c)

The licensee through the administrator shall report as soon as possible, or, at the latest, within 24 hours to the appropriate Division of Nursing Care Facilities field office serious incidents involving residents as set forth in § 51.3 (relating to notification). For purposes of this subpart, references to patients in § 51.3 include references to residents.

(d)

[Reserved].

(e)

[Reserved].

(f)

Upon receipt of a strike notice, the licensee or administrator shall promptly notify the appropriate Division of Nursing Care Facilities field office, and the Office of the State Long-Term Care Ombudsman, and keep the Department apprised of the strike status and the measures being taken to provide resident care during the strike.

(g)

A facility owner shall pay in a timely manner bills incurred in the operation of a facility that are not in dispute and that are for services without which the resident's health and safety are jeopardized.

(h)

The facility shall report to the Department census, rate, program occupancy and any other information the Department may request. The Department will provide advance notice of new reporting requirements, except in instances of an emergency.

(i)

The facility shall have on file the most recent inspection reports, relating to the health and safety of residents, indicating compliance with applicable Federal, State and local statutes and regulations. Upon request, the facility shall make the most recent report available to interested persons.

(j)

The facility shall conduct a facility-wide assessment that meets the requirements of 42 CFR 483.70(e) (relating to administration), as necessary, but at least quarterly.