

R. 330.11013 Nursing facility not in substantial compliance; notice of termination

Rule 11013.

(1)

If a facility's deficiencies do not constitute immediate jeopardy, then the state medicaid agency may apply alternative remedies instead of termination of the provider agreement. However, even though the deficiencies do not constitute immediate jeopardy, a concurrent notice of termination shall be issued together with written notice of the deficiency.

(2)

If a facility's deficiencies are not corrected, then the notice of termination shall be effective not later than 180 days from the last date of survey.

(3)

If an alternate remedy is chosen and the nursing facility did not come into substantial compliance within 180 days, then the state medicaid agency shall be liable to HCFA for payments made in the interim and the nursing facility shall be liable to the state medicaid agency.

(4)

Concurrent notice of termination from the state medicaid agency is given to alert the nursing facility to the potential for nonpayment of services.