

R. 330.11012 Immediate jeopardy

Rule 11012.

(1)

If a nursing facility is cited for immediate jeopardy, then a date certain will not be allowed. The state medicaid agency shall request that the state survey agency take immediate action to ensure that the facility removes the jeopardy and corrects the deficiencies or the state medicaid agency shall terminate the facilitys participation under the medicaid state plan. Actions that may be taken or requested by the state medicaid agency include, but are not limited to, the following:(a) Immediate termination under the 23-day serious and immediate threat policy. (b) Additional actions, which may include 1 or more of the following:(i) Request the state survey agency to order a temporary manager under its licensure authority. (ii) Impose any category 1 or 2 remedies determined appropriate. (iii) Impose a daily civil money penalty of \$3,050.00 to \$10,000.00.

(a)

Immediate termination under the 23-day serious and immediate threat policy.

(b)

Additional actions, which may include 1 or more of the following:(i) Request the state survey agency to order a temporary manager under its licensure authority. (ii) Impose any category 1 or 2 remedies determined appropriate. (iii) Impose a daily civil money

penalty of \$3,050.00 to \$10,000.00.

(i)

Request the state survey agency to order a temporary manager under its licensure authority.

(ii)

Impose any category 1 or 2 remedies determined appropriate.

(iii)

Impose a daily civil money penalty of \$3,050.00 to \$10,000.00.

(2)

Impose or request additional remedies that can be applied pursuant to law based on the compliance history of the facility and to protect residents or assure compliance.