

|->

Title 22@ Social Security

|->

Division 3@ Health Care Services

|->

Subdivision 1@ California Medical Assistance Program

|->

Chapter 3@ Health Care Services

|->

Article 1.6@ Skilled Nursing Facility and Intermediate Care Facility Certification Appeals Procedure

|->

Section 51048.1@ Limitations

51048.1 Limitations

(a)

A skilled nursing and/or intermediate care facility Medi-Cal provider may, in accordance with the regulations contained in Sections 51048.2 through 51048.8, appeal the decision of the Department that a facility is not qualified to participate in the Medi-Cal program.

(b)

The Department in rendering its determination shall set forth the pertinent facts and conclusions upon which the determination is made, and shall notify the provider of its right to appeal under subdivision (a).

(c)

The effective date of a determination rendered under this article is as follows:(1) A determination not to renew a certification is effective on the date the existing certification actually expires. (2) A determination to deny a certification is effective upon the receipt of the determination by the provider, except, if the provider files a request for reconsideration under Section 51048.3, the determination shall be effective upon receipt of the reconsidered determination by the provider.

(1)

A determination not to renew a certification is effective on the date the existing certification actually expires.

(2)

A determination to deny a certification is effective upon the receipt of the determination by the provider, except, if the provider files a request for reconsideration under Section 51048.3, the determination shall be effective upon receipt of the reconsidered determination by the provider.

(d)

These appeal processes are only available to Medi-Cal providers of skilled nursing facilities who do not participate in the Medicare program. Providers who participate in both Medi-Cal and Medicare may appeal certification decisions to the Department of Health and Human Services in accordance with 42 CFR, 405.1501 et seq. A final decision rendered pursuant to 42 CFR 405.1501 et seq. is binding for purposes of Medi-Cal participation.