

54303 Denial of Initial Certification

(a)

The Director shall deny application for certification if the applicant has: (1) Not been approved as a licensed adult day health care provider. (2) Failed to meet the requirements of Section 54301, or any other applicable requirements of the statutes or regulations relating to the California Medical Assistance Program. (3) Previously violated Department regulations and there is probability of noncompliance by the applicant. (4) Failed to correct violations of regulations pertaining to licensure or Medi-Cal certification. (5) Failed to comply with the approved adult day health care county plan.

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(2)

Failed to meet the requirements of Section 54301, or any other applicable requirements of the statutes or regulations relating to the California Medical Assistance Program.

(3)

Previously violated Department regulations and there is probability of noncompliance by the applicant.

(4)

Failed to correct violations of regulations pertaining to licensure or Medi-Cal

certification.

(5)

Failed to comply with the approved adult day health care county plan.

(b)

Upon the denial of the application, a written notice of denial shall be sent by the Department by certified mail informing the applicant of the reasons for denial, and advising the applicant of the right to petition for a hearing.

(c)

An applicant may submit a written petition for hearing to the Department within 15 days after the Department mails the notice.

(d)

The hearing shall be initiated by filing and serving a statement of issues in accordance with Section 11504.

(e)

The proceeding shall be conducted in accordance with Chapter 5, commencing with Section 11500, Division 3, Title 2, Government Code.

(f)

Hearing concerning denial of Medi-Cal certification as a provider of adult day health care services shall be consolidated with hearing concerning denial of licensure whenever possible.