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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 1@ General Acute Care Hospitals

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Article 10@ Hospital Administrative Penalties

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Section 70960@ Small and Rural Hospitals

70960 Small and Rural Hospitals

(a)

A small and rural hospital that has been assessed an administrative penalty under H&SC Section 1280.3 may request: (1) Payment of the penalty extended over a period of time if immediate, full payment would cause financial hardship, or (2) Reduction of the penalty, if extending the penalty payment over a period of time would cause financial hardship, or (3) Both a penalty payment plan and reduction of the penalty.

(1)

Payment of the penalty extended over a period of time if immediate, full payment would cause financial hardship, or

(2)

Reduction of the penalty, if extending the penalty payment over a period of time would cause financial hardship, or

(3)

Both a penalty payment plan and reduction of the penalty.

(b)

The small and rural hospital shall submit its written request for penalty modification as described in subsection (a) to the department within ten days after the issuance of the administrative penalty. The request shall describe the special circumstances showing financial hardship to the hospital and the potential

severe adverse effects on access to quality care in the hospital.

(c)

Upon timely request from a small and rural hospital under subsection (b), the department may approve a penalty payment plan, reduce the final penalty, or both, if in the judgment of the department, immediate, full payment of the penalty would cause financial hardship to the hospital and thereby severely reduce access to quality care in the hospital. The department's decision shall be based on information provided by the small and rural hospital in support of its request and on hospital financial information from the Office of Statewide Health Planning and Development or other governmental agency.