

74671 Issuance, Denial, Expiration and Renewal

(a)

The Department shall issue the license to the applicant upon verification of compliance with licensing requirements unless cause for denial under (b) below exists.

(b)

The Department shall deny the application of any prospective licensee who: (1) Is not in compliance with the laws and regulations pertaining to home health agencies. (2) Has had a home health agency license suspended or revoked within the previous 24 months. (3) Has otherwise failed to establish that the premises, management, the bylaws, the equipment, the staffing, both professional and nonprofessional, and the standards of care and services are adequate and appropriate.

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care and services are adequate and appropriate.

(c)

Immediately upon the denial of any application for a license, the Department shall notify the applicant in writing. Within 20 days of the Department's notice, the applicant may present a written petition for a hearing to the Department. Upon receipt by the Department of the petition in proper form, such petition shall be set for hearing. The proceedings shall be conducted in accordance with Chapter 5 of Part I of Division 3 of Title 2 of the Government Code beginning with Section 11500.

(d)

At least 45 days prior to expiration of a license the Department shall mail an application for renewal of license form to each licensee. Application for renewal accompanied by the necessary fees shall be filed with the Department not less than 30 days prior to the expiration date. Failure of the Department to mail the renewal notice does not relieve the licensee of the obligation to make timely renewal. Failure to make a timely renewal shall result in expiration of the license.

(e)

The licensee shall specify the types of services the home health agency is applying for approval to provide.