

MEMORANDUM

Texas Department of Human Services * Long Term Care/Policy

TO: LTC-R Regional Directors
Section/Unit Managers

FROM: Marc Gold
Section Manager
Long Term Care-Policy
State Office MC: W-519

SUBJECT: Regional Survey & Certification Letter #00-19

DATE: September 1, 2000

The attached RS&C Letter is being provided to you for information purposes and should be shared with all professional staff.

- RS&C Letter No. 00-19 - Clarification of Newspaper Notice Requirement for Termination of Nursing Homes; Call Dennis Crandell, Unit Manager, Sanctions Unit, Facility Enrollment, at (512) 438-2528.

If you have any questions, please direct inquiries to the individuals or sections listed above.

~Original Signature on File~

Marc Gold

Attachment

DEPARTMENT OF HEALTH & HUMAN SERVICES
Health Care Financing Administration
Division of Medicaid and State Operations, Region VI

1301 Young Street, Room 833
Dallas, Texas 75202
Phone (214) 767-6301
Fax (214) 767-0270

July 14, 2000

REGIONAL SURVEY AND CERTIFICATION LETTER NO: 00-19

To: All State Survey Agencies (Action)
All Title XIX Single State Agencies (Information)

Subject: Clarification of Newspaper Notice Requirement for Termination of Nursing Homes

The purpose of this letter is to ensure consistent application of the regulatory requirements related to newspaper notices for nursing homes terminated for non-immediate jeopardy.

42 CFR 488.456 requires that HCFA and the State notify the public "at least 15 calendar days before the effective date of termination for a facility with non-immediate jeopardy deficiencies that constitute non-compliance."

Therefore, effective August 1, 2000, the Regional Office will:

- Issue newspaper notice for non-immediate jeopardy termination actions fifteen days prior to the termination date.

The State should ensure that this policy is followed for Medicaid-only facilities who are terminated by the State for non-immediate jeopardy. We will continue to issue notice for immediate jeopardy terminations two days before the date of termination.

To effectuate this policy, **the State Survey Agency must notify the RO twenty days prior to the term date of the results of the final revisit conducted. The survey agency should not conduct a revisit after termination notice is published.** Any exception to this policy must be discussed with the RO.

If you have any questions, please contact Theresa Bennett at 214/767-4406 or Virginia Tibbetts at 214/767-4411.

Sincerely,
~Signature on File~
Theresa E. Bennett
Health Insurance Specialist
Division of Medicaid and State Operations

cc: Louisiana Nursing Home Association
Arkansas Health Care Association
New Mexico Health Care Association
Nursing Home Association of Oklahoma
Texas Health Care Association
Texas Homes and Services for the Aging