

3104 LICENSURE RENEWAL

- 3104.1 The Director shall conduct an on-site inspection of a facility to determine compliance with the Act and rules governing the facility prior to the expiration of the license. Unless otherwise notified, inspections shall be unannounced.
- 3104.2 The Director may accept private accreditation or federal certification in lieu of inspecting for licensure compliance for any or all provisions of the Act or the rules, consistent with the requirements contained in §6(b) of the Act.
- 3104.3 The Director shall send a written report of the findings to the facility no later than fifteen (15) days from the conclusion of the inspection.
- 3104.4 Consistent with the Act, its amendments and the rules governing the facility, the Director shall take adverse action against a facility found to have life threatening deficiencies, or a continuing pattern of deficiencies which pose a serious threat to the public's health and safety.
- 3104.5 The Director may require the facility to submit a written, signed and dated plan of correction to abate deficiencies cited no later than ten (10) days following the receipt of the written report of findings.
- 3104.6 The Director shall issue a renewal license for a period not to exceed one (1) year to a facility with no deficiencies or with minor deficiencies that can be corrected within thirty (30) days.
- 3104.7 The Director shall issue a provisional license not to exceed ninety (90) days to a facility that is not in substantial compliance with the Act and the rules, but does not have deficiencies that are life threatening or that endanger the public's health and safety.
- 3104.8 The Director shall issue a regular license not to exceed one (1) year to a facility issued a provisional license pursuant to §3104.7 that is in full or substantial compliance after ninety (90) days, based on a follow-up inspection.
- 3104.9 The Director shall renew the provisional license for a facility initially issued a provisional license pursuant to §3104.7 that is not in substantial compliance after ninety (90) days, but is making significant progress toward correction of deficiencies cited.
- 3104.10 The Director may prohibit a facility from accepting new patients and providing a service when he or she finds that the facility has violations of a serious nature, and no substantial corrective action has been taken.
- 3104.11 Consistent with the Act, its amendments and the rules governing the facility, the Director shall take adverse action against a facility that is not making substantial progress after issuance of the first provisional license, or its renewal, or a restricted license.
- 3104.12 The Director shall automatically suspend or convert to a provisional or restricted status the license of a facility that loses its federal certification until a determination is made regarding its continued operation and licensure status.

SOURCE: Final Rulemaking published at 39 DCR 5098, 5103 (July 10, 1992).