



Ohio Administrative Code

Rule 3701-83-05 Issuance, renewal, and denial of licenses.

Effective: July 1, 2016

(A) The director shall issue or renew a license to an HCF that submits an application for license in accordance with rule 3701-83-04 of the Administrative Code and that demonstrates to the director it meets the requirements of section 3702.30 of the Revised Code and the requirements of Chapter 3701-83 of the Administrative Code. Nothing herein shall exempt any HCF from the data reporting requirements of Chapter 3701-83 of the Administrative Code, the fee requirements of paragraph (C) of rule 3701-83-04 of the Administrative Code, and any other applicable state or federal law or regulation.

(1) The director may renew an HCF license without conducting an onsite inspection if:

(a) The HCF is accredited by a national accrediting body approved by the centers for medicare and medicaid services, as documented by a current award letter from the accrediting body;

(b) The HCF is deemed to meet or exceed the applicable medicare program requirements for health care facilities as set forth in this chapter, as documented by a current award letter from the accrediting body or an approval letter from the centers for medicare and medicaid services; or

(c) The HCF, on the facility's most recent centers for medicare and medicaid services survey, has been determined to be in compliance with the medicare program participation requirements by virtue of a department conducted medicare certification or recertification survey.

(2) Notwithstanding paragraph (A) of this rule, the director may conduct an on-site inspection prior to issuing a renewal license.

(3) The director shall only issue one license of the same type at a given location for the following types of health care facilities:

(a) Ambulatory surgical facility;



(b) Freestanding inpatient rehabilitation facility;

(c) Freestanding birthing center; or

(d) Freestanding dialysis center.

(B) Any license issued to an HCF:

(1) Shall contain the name and address of the facility for which it was issued, the effective date of the license, and the month the HCF must apply for renewal of the license. In addition:

(a) The license for an ambulatory surgical facility shall specify the maximum number of operating rooms, or procedure rooms, or both;

(b) The license for a freestanding dialysis center shall specify the maximum number of dialysis stations;

(c) The license for a freestanding inpatient rehabilitation facility shall specify the maximum number of patient care beds;

(d) The license for a freestanding birthing center shall specify the number of birth rooms;

(e) The license for a freestanding or mobile diagnostic imaging center shall specify the number and type of equipment.

(f) The license for a freestanding or mobile radiation therapy center shall specify the number and type of equipment.

(2) Is valid unless revoked or suspended pursuant to Chapter 119. of the Revised Code, or voided at the request of the owner, or the HCF fails to timely apply for a renewal in accordance with paragraph (B) of rule 3701-83-04 of the Administrative Code; and



(3) Is valid only for the facility specified on the license at the listed address.

(C) The director shall, in accordance with Chapter 119. of the Revised Code, deny an application for a license or an application for amendment or renewal of a license if:

(1) The HCF fails to make application for a license in accordance with rule 3701-83-04 of the Administrative Code;

(2) Fails to demonstrate to the director that the HCF meets or continues to meet the requirements of section 3702.30 of the Revised Code and Chapter 3701-83 of the Administrative Code; or

(3) The director determines that the owner, administrator, or medical director is not competent to operate an HCF based on review of information pertaining to paragraphs (A)(1)(c) and (A)(1)(d) of rule 3701-83-04 of the Administrative Code.

(D) The HCF shall notify the director in writing within thirty days of termination of an accreditation.

(E) In addition to any other provision of Chapter 3701-83 of the Administrative Code, if the director granted a license based on the HCF demonstrating compliance through submittal of an accreditation award letter and one of the events listed in this paragraph occurs, the director may inspect or request additional information from the HCF to determine whether the HCF meets the requirements of section 3702.30 of the Revised Code and the applicable requirements of Chapter 3701-83 of the Administrative Code.

(1) The HCF's accreditation is terminated; or

(2) The HCF's accreditation expires and is not renewed.