



Ohio Revised Code

Section 5165.51 Notice of change of operator.

Effective: [October 24, 2024](#)

Legislation: [Senate Bill 144](#)

(A) An exiting operator or owner and entering operator shall provide the department of medicaid written notice of a change of operator if the nursing facility participates in the medicaid program and the entering operator seeks to continue the nursing facility's participation. The written notice shall be provided to the department in accordance with the method specified in rules authorized by section 5165.53 of the Revised Code. The written notice shall be provided to the department not later than forty-five days before the effective date of the change of operator if the change of operator does not entail the relocation of residents. The written notice shall be provided to the department not later than ninety days before the effective date of the change of operator if the change of operator entails the relocation of residents. The department may waive the time requirements of division (A) of this section in an emergency, such as the death of the operator.

The written notice shall include all of the following:

- (1) The name of the exiting operator and, if any, the exiting operator's authorized agent;
- (2) The name of the nursing facility that is the subject of the change of operator;
- (3) The exiting operator's seven-digit medicaid legacy number and ten-digit national provider identifier number for the nursing facility that is the subject of the change of operator;
- (4) The name of the entering operator;
- (5) The effective date of the change of operator;
- (6) The manner in which the entering operator becomes the nursing facility's operator, including through sale, lease, merger, or other action;
- (7) If the manner in which the entering operator becomes the nursing facility's operator involves



more than one step, a description of each step;

(8) Written authorization from the exiting operator or owner and entering operator for the department to process a provider agreement for the entering operator;

(9) The names and addresses of the persons to whom the department should send initial correspondence regarding the change of operator;

(10) If the nursing facility also participates in the medicare program, notification of whether the entering operator intends to accept assignment of the exiting operator's medicare provider agreement;

(11) The signature of the exiting operator's or owner's representative.

(B) An owner shall provide the department of medicaid written notice of a change of owner. The written notice shall be provided to the department in accordance with the method specified in rules adopted under section 5165.53 of the Revised Code. The written notice shall be provided to the department not later than forty-five days before the effective date of the change of owner. The department may waive the time requirements of division (B) of this section in an emergency, such as the death of the operator.

The written notice shall include all of the following:

(1) The name of the owner and the owner's authorized agent, if any;

(2) The name of the nursing facility that is the subject of the change of owner;

(3) The seven-digit medicaid legacy number and ten-digit national provider identification number for the nursing facility that is the subject of the change of owner;

(4) The extent of the owner's interest in the nursing facility;

(5) The effective date of the change of owner;



(6) The manner in which the change of owner is accomplished, including through sale, merger, or other action;

(7) If the manner in which the change of owner is accomplished involves more than one step, a description of each step;

(8) The names and addresses of the persons to whom the department should send correspondence regarding the change of owner;

(9) A statement describing any material increase in lease payments or other financial obligations of the operator to the owner resulting from the change of owner, or affirming that there is no material increase;

(10) The signature of the owner's representative.

(C) An exiting operator, entering operator, or owner immediately shall provide the department written notice of any changes to information included in a written notice provided under division (A) or (B) of this section that occur within one year after that notice is provided to the department. The notice of the changes shall be provided to the department in accordance with the method specified in rules authorized by section 5165.53 of the Revised Code.