

3701-83-04 License application and renewal procedures.

- (A) A person or agency of state or local government seeking a license to operate an HCF shall submit to the director an application, on a form and in a manner prescribed by the director and shall include the following:
 - (1) A statement of ownership containing the following information:
 - (a) The name, address, and telephone number of the HCF.
 - (i) If the owner is an individual, the owner's name, address, telephone number, business address, and business telephone number.
 - (ii) If the owner is an association, corporation, limited liability company, or partnership, the legal business entity name, address, and telephone number of the entity and the name of every person who has an ownership interest of five per cent or more in the entity. The corporate name; if any, and the names, titles, addresses and telephone numbers of its officers and statutory agent.
 - (iii) If the applicant is an agency of state or local government, the name, address and telephone number of the individual authorized to enter into agreements on behalf of the agency of state or local government.
 - (b) The name of the administrator;
 - (c) The name and physician license number or dentist license number of the medical director of the HCF;
 - (d) The name and address of any of the following facilities which either the owner, administrator or medical director has been affiliated through ownership or employment in the five years prior to the date of the application:
 - (i) A nursing home, residential care facility, or home for the aging as defined in section 3721.01 of the Revised Code;
 - (ii) A residential facility for the mentally ill licensed by the department of mental health under section 5119.22 of the Revised Code;
 - (iii) A facility licensed to provide methadone treatment under section 3793.11 of the Revised Code;
 - (iv) A residential facility licensed under section 5123.19 of the Revised Code or otherwise regulated by the department of developmental disabilities;
 - (v) A terminal care facility for the homeless that has entered into an agreement with a hospice care program under section 3712.07 of the Revised Code;
 - (vi) A health insuring corporation as defined by section 1751.01 of the Revised Code;
 - (vii) A hospital; or

- (viii) An entity certified by the United States centers for medicare and medicaid services for purposes of reimbursement under Part B of the medicare program, Part B of Title XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended (1981); or certified for the purposes of reimbursement by medicaid, a state plan approved under Title XIX of the Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended (1981).
- (e) Information about any criminal conviction, civil judgment or administrative adjudication of the owner, administrator or medical director for an offense related to the provision of care or bearing a direct or substantial relationship to the job responsibilities he or she is to carry out.
- (2) If applicable, a copy of the fire inspection report required under paragraph (C) of rule 3701-83-06 of the Administrative Code and if applicable, the certificate of use and occupancy required under rule 3701-83-10 of the Administrative Code;
- (3) The type of HCF license for which the applicant is applying; in addition:
 - (a) An ASF shall specify the number of operating rooms, or procedure rooms, or both;
 - (b) A freestanding dialysis center shall specify the number of dialysis stations, including the number of hemodialysis stations and peritoneal stations;
 - (c) A freestanding inpatient rehabilitation facility shall specify the number of patient care beds;
 - (d) A freestanding birthing center shall specify the number of birth rooms;
 - (e) A freestanding or mobile diagnostic imaging center shall specify whether the radiopharmaceuticals being proposed for use are for use as delineated in rule 3701:1-58-32, 3701:1-58-34, 3701:1-58-37 or 3701:1-58-53 of the Administrative Code and the number and type of radiation-generating or detecting equipment;
 - (f) A freestanding radiation therapy center shall specify the number and type of radiation-generating or detecting equipment being proposed for use and whether radiopharmaceuticals or sealed sources being proposed for use are for use as delineated in rule 3701:1-58-43 or 3701:1-58-55 of the Administrative Code
- (4) A complete copy of the HCF's current accreditation award letter, if applicable.
- (B) A person or agency of state or local government seeking renewal of an HCF license shall submit to the director an application for renewal each year during the month specified on the HCF's license. A person or agency of state or local government seeking renewal of an HCF license, or an amended license under paragraph (F) of this rule, shall submit to the director an application on a form and in a manner prescribed by the director, and shall include the following:
 - (1) The name, address, and telephone number of the facility;
 - (2) The type of facility for which the applicant is seeking license renewal;

- (3) Any changes or updates to the information required by paragraph (A) of this rule, including a copy of the most recent accreditation award letter, if applicable, unless the department has been previously notified;
 - (4) Copies of all inspections, agreements, or approvals required by Chapter 3701-83 of the Administrative Code, that have been conducted since submittal of the HCF's previous application;
 - (5) Any other information the director may require regarding the owner's ability to operate the facility.
- (C) An application for an HCF license, license renewal or amended license shall include the following:
- (1) Attestation that to the best of the applicant's knowledge, the information in the application and any accompanying material is true and accurate;
 - (2) Attestation by the medical director and the administrator that to the best of their knowledge, the information in the application submitted pursuant to paragraph (A)(1)(c) of this rule is true and accurate;
 - (3) Attestation that the applicant, if not the owner, is the authorized representative of the owner, and
 - (4) A nonrefundable application fee of three hundred dollars for an HCF license or license renewal or a nonrefundable fee of one hundred and fifty dollars for an amended HCF license payable to the "Treasurer, State of Ohio."
- (D) The director at any time may request additional information the director determines to be necessary to assess compliance with the applicable criteria, standards, and requirements established by section 3702.30 of the Revised Code and Chapter 3701-83 of the Administrative Code. The applicant shall submit any additional information requested by the director within thirty days of the date of the director's request.
- (E) The HCF shall notify the director in writing no later than thirty days of:
- (1) Any changes in the information contained in the statement of ownership made pursuant to paragraph (A) of this rule; and
 - (2) Any change in the HCF's accreditation status.
- (F) The HCF shall apply for an amended license if:
- (1) In the case of an ASF, there is any increase or a permanent decrease in the number of operating or procedure rooms;
 - (2) In the case of a freestanding dialysis center, there is any increase or a permanent decrease in the number of dialysis stations;
 - (3) In the case of a freestanding inpatient rehabilitation facility, there is any increase or a permanent decrease in the number of patient care beds;
 - (4) In the case of a freestanding birthing center, there is any increase or a permanent decrease in the number of birthing rooms;

(5) In the case of a freestanding or mobile diagnostic imaging center, there is any increase in the number or change in the type of radiation-generating or detecting equipment or any change in the radiopharmaceuticals being used pursuant to rule 3701:1-58-32, 3701:1-58-34, 3701:1-58-37, or 3701:1-58-53 of the Administrative Code; and

(6) In the case of a freestanding radiation therapy center, there is any increase in the number or change in the type of radiation-generating or detecting equipment being used or any change in the radiopharmaceuticals or sealed sources being used pursuant to rule 3701:1-58-43 or 3701:1-58-55 of the Administrative Code

(G) The HCF shall not use any additional room, station, bed or equipment until an amended HCF license has been issued, or the HCF has received other verifiable approval by the department.

Effective: 07/01/2016

Five Year Review (FYR) Dates: 02/16/2016 and 02/15/2021

CERTIFIED ELECTRONICALLY

Certification

04/22/2016

Date

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