NOTICE—EFFECTIVE DATE OF PROVIDER AGREEMENT

This notice is to inform you of the regulations that govern the effective date of participation for providers of services. These regulations are found in the Code of Federal Regulations (CFR), 42 CFR 442.13 (Medicaid) and 42 CFR 489.13 (Medicare) and are listed below. These regulations can be ordered from U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, D.C. 20402-9328.

I. Federal regulations 42 CFR 442.13 and 42 CFR 489.13 describe the circumstances under which provider agreements are made effective.

The term provider means Title XIX (Medicaid), any entity providing services under an approved state Medicaid plan. Under Title XVIII (Medicare), a provider is a hospital, skilled nursing facility, home health agency, rural health clinic, clinic, rehabilitation agency, and public health agency.

The term effective date means the first day the provider may be reimbursed for rendering covered services to a Medicare and Medicaid patient. Services rendered prior to the effective date cannot be reimbursed by the Medicare or Medicaid program.

II. The effective date of the provider agreement is the date the onsite survey is completed (or on the day following the expiration of the current agreement) if on the date of the survey, the provider meets:

A. All federal health and safety standards; and

B. Any other requirements imposed by the Centers for Medicare and Medicaid Services (CMS) or the State Medicaid Agency.

Meets all health and safety standards meaning compliance with each and every federal requirement including each element, standard, and condition of participation.

III. If the provider fails to meet any of the above requirements, the agreement must be effective on the earlier of the following dates:

A. The date on which the provider meets all requirements.

B. The date on which the provider submits a correction plan acceptable to CMS (Medicare Title XVIII), or the State Survey Agency (Medicaid Title XIX), or an approvable waiver request or both.

(Waivers will only be considered for such requirements as Life Safety Codes, Seven-day Registered Nurse, Medical Director, and the American National Standards Institute (ANSI) requirements.)

A plan of correction cannot be accepted for a condition (or conditions) of participation found not met. In those cases, the survey agency must first verify that the condition(s) has been corrected.

Return signed copy to state agency listed below:

California Department of Public Health
Licensing and Certification
Centralized Licensing Unit
P.O. Box 997377, MS 3207
Sacramento, CA 95899-7377

I have received, read, and understand the notice given to me regarding the effective date of reimbursement by the Medicare and Medicaid programs.

Signature	Print name	Date