

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.21718 Conditions of skilled nursing facility certification and participation in title 19 program; exception; exemption.

Sec. 21718. (1) Except as provided in subsections (3) and (4), as a condition of skilled nursing facility certification and participation in the title 19 program of the social security act, 42 USC 1396 to 1396w-5, a nursing home shall be concurrently certified for and give evidence of active participation in the title 18 program of the social security act, 42 USC 1395 to 1395kkk-1. A nursing facility that is not concurrently certified for the title 18 program on March 30, 1979 shall make application for concurrent certification not later than its next application for licensure and certification. A failure to make application shall result in the skilled nursing facility being decertified or refused certification as a provider in the title 19 program. Nursing home or nursing care facility participation in the title 18 program under the requirements for concurrent certification shall be effective not later than the beginning of the first accounting year following the home's or facility's title 18 certification.

(2) As a condition of skilled nursing facility certification, a nursing home shall obtain concurrent certification under title 19 of the social security act, 42 USC 1396 to 1396w-5, for each bed that is certified to provide skilled care under title 18 of the social security act, 42 USC 1395 to 1395kkk-1. Skilled care certification shall not be renewed unless the requirements of this subsection are met.

(3) An exception may be made from the requirements of subsection (1) for a nursing facility that is currently certified as a skilled nursing facility by the director for title 19 participation but has been determined, after making application, to be ineligible for title 18 certification by the secretary of the United States department of health and human services.

(4) A home or facility, or a distinct part of a home or facility, certified by the director as a special mental illness or a special developmental disability nursing home or nursing care facility is exempt from the requirements of subsection (1).

History: Add. 1978, Act 493, Eff. Mar. 30, 1979;—Am. 2014, Act 66, Imd. Eff. Mar. 28, 2014.

Popular name: Act 368