

5160-1-XX Reimbursement of nursing facility relief payments upon sale of business or bed license

(A) For purposes of Section 220.60 of Amended Substitute House Bill 169 of the 134th General Assembly and this rule, "sale" means entering into a purchase agreement or similar document between March 29, 2022 and June 30, 2023 that outlines the terms of the purchase and results in the payment of money for the business or bed license, regardless of when the payment occurs.

(B) Any nursing facility that sells any of its business or bed licenses in accordance with paragraph (A) shall reimburse the state in the following manner:

(1) If the proceeds from the sale are less than the relief payment received by the nursing facility pursuant to Section 220.60 of Amended Substitute House Bill 169 of the 134th General Assembly, the nursing facility shall reimburse the state the full amount of the sale proceeds;

(2) If the proceeds from the sale are greater than the relief payment received by the nursing facility pursuant to Section 220.60 of Amended Substitute House Bill 169 of the 134th General Assembly, the nursing facility shall reimburse the state the full amount of the relief payment and retain any amount remaining from the sale after the relief payment is reimbursed in full.

(C) The department of medicaid shall notify each nursing facility that is required to reimburse relief payments to the state. The notification shall be by certified mail and include the manner of reimbursement and the deadline. If the reimbursement is not received by the department by the deadline, the department may, without further notice, offset from medicaid payments the amount of the reimbursement until it is paid in full.

(D) A nursing facility notified that it is required to reimburse the state pursuant to this rule may request a reconsideration pursuant to rule 5160-70-02 of the Administrative Code within thirty days of the date appearing on the notification.