

3701-17-03

License fee; application; issuance; revocation.

- (A) The operator of a nursing home shall pay the fees specified in section 3721.02 of the Revised Code. The application and the fees required under this paragraph shall be submitted to the director and the fees shall be made payable to the "treasurer, state of Ohio" in the form of a check or money order. The department shall deposit the fees in the state treasury to the credit of the general operations fund created by section 3701.83 of the Revised Code, and the fees shall not be refunded.
- (B) Every applicant for a license to operate a nursing home shall truthfully and fully complete and submit an application to the director not less than sixty days before the proposed opening of the nursing home. Such application shall be made on a form prescribed and furnished by the director.
- (C) The initial application for a license to operate a nursing home shall be accompanied by:
- (1) A statement by the applicant of the status of the proposed nursing home under any applicable zoning ordinances or rules, or a statement by the applicant that there is no zoning authority where the proposed home is to be located.
 - (2) A statement of financial solvency at the time of initial application, on a form prescribed and furnished by the director, showing that the applicant has the financial ability to staff, equip, and operate the nursing home in accordance with Chapter 3721. of the Revised Code, and rules 3701-17-01 to 3701-17-26 of the Administrative Code, and that the applicant has sufficient capital or financial reserve to cover not less than four months' operation.
 - (3) A statement of ownership containing the following information:
 - (a) If the operator is an individual, the individual's name, address, and telephone number. If the operator is an association, corporation, or partnership, the business activity, 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;
 - (b) If the operator does not own the building or buildings or if the operator owns only part of the building or buildings in which the nursing home is housed, the name of each person who has an ownership interest of five per cent or more in the buildings;
 - (c) The name and address of any nursing home and any facility described in divisions (A)(1)(a) and (A)(1)(c) of section 3721.01 of the Revised

Code in which the operator or administrator, or both, have an ownership interest of five per cent or more or with which the operator or administrator have been affiliated with through ownership or employment in the five years prior to the date of the application;

(d) The name, business address and telephone number of the administrator of the nursing home, if different from the operator; and

(e) The name, business address and telephone number of any management firm or business employed to manage the nursing home.

(4) Copies of the certificate of occupancy required by paragraph (A) of rule 3701-17-22 of the Administrative Code.

The operator or administrator shall notify the director in writing of any changes in the information contained in this paragraph. The operator or administrator shall provide this notification no later than ten days after the change occurs.

(D) The director may request additional information at any time which the director determines to be necessary to assess compliance with the applicable criteria, standards, and requirements established by Chapter 3721. of the Revised Code and rules 3701-17-01 to 3701-17-26 of the Administrative Code. The applicant shall submit any additional information requested by the director within sixty days of the director's request unless the director specifies otherwise.

(E) The license to operate a nursing home shall be issued by the director in accordance with Chapter 3721. of the Revised Code, and shall remain in effect until revoked by the director or voided at the request of the applicant; provided, the annual renewal fee is paid during the month of January of each year. Any nursing home that does not pay its renewal fee in January shall pay, beginning the first day of February, a late fee of one hundred dollars for each week or part thereof that renewal fee is not paid. If either the renewal fee or the late fee is not paid by the fifteenth day of February, the director may, in accordance with Chapter 119. of the Revised Code, revoke the nursing home's license.

(F) A license to operate a nursing home is not assignable or transferable and is valid only for the operator and premises named in the application except as otherwise permitted under section 3721.023 of the Revised Code. If ownership of a home is assigned or transferred to a different person, the new owner is responsible and liable for compliance with any notice of proposed action or order issued under section 3721.08 of the Revised Code prior to the effective date of the assignment or transfer.

- (G) An operator who operates one or more nursing homes in more than one building shall obtain a separate license for each building except if such buildings are on the same lot and constitute a single nursing home, such nursing home may be operated under a single license.
- (H) The license shall be posted in a conspicuous place in the nursing home.
- (I) The director may deny or revoke a license in accordance with Chapter 119. of the Revised Code for violating any of the requirements of Chapter 3721. of the Revised Code or rules 3701-17-01 to 3701-17-26 of the Administrative Code.
- (J) A person whose license is revoked for any reason other than nonpayment of the license renewal fee or late fees may not apply for a new license under Chapter 3721. of the Revised Code until a period of one year following the date of revocation has elapsed.
- (K) When closing a home, the operator shall provide the director written notification of closure at least ninety days prior to the proposed closing date. At the same time, the operator shall, in accordance with Chapter 3701-61 of the Administrative Code, also provide written notice of the proposed date of closing of the home to its residents and their sponsors or legal representatives and the regional long-term care ombudsperson program, designated under section 173.16 of the Revised Code, serving the area where the home is located.
- (L) The nursing home shall include in all official correspondence with the department pertaining to the home, its name, address and license number as it appears on the nursing home license.

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CERTIFIED ELECTRONICALLY

Certification

05/19/2006

Date

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