

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: WISCONSIN

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Enforcement of Compliance for Nursing Facilities

Denial of Payment for New Admissions: Describe the criteria (as required at §1919(h)(2)(A)) for applying the remedy.

Specified Remedy

(Will use the criteria and notice requirements specified in the regulation.)

Alternative Remedy

(Describe the criteria and demonstrate that the alternative remedy is as effective in deterring non-compliance. Notice requirements are as specified in the regulations.)

Denial of payment for new admissions. (Authority to deny payment for new admissions is found in s. 49.498, Wis. Stats., and 42 CFR 488.406 and 488.417.)

The state shall deny payment for all new admissions whenever a facility:

- a. is cited with deficiencies evidencing "substandard quality of care" upon three consecutive standard surveys, or
- b. fails to correct a deficiency which cites any of the requirements of subsections 1819(b), (c), (d), or 1919(b), (c) (d), Social Security Act, within three months after the state initially determines the facility is out of compliance.

The state may deny payment for new admissions under the following conditions:

- a. except as specified above, the State may deny payment for all new admissions when a facility is not in substantial compliance with the requirements for participation in the Medicaid program, as defined in 42 CFR 488.401; or
- b. the State may choose to deny payments for all new admissions as specified in 42 CFR 488.408(d)(2)(i) and (ii).

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