

5122-25-07

Denial, revocation, and termination of certification.

(A) The director may deny or revoke certification for one or more of the following reasons:

(1) The **agency provider** fails to comply with any certification standard for which it has not been granted deemed status in accordance with~~and/or granted reciprocity, per~~ rule ~~5122-25-03~~ 5122-25-02 of the Administrative Code;

(2) The provider misuses or fails to properly account for the disbursement of state or federal funds;

(3) The provider provides false information or documentation to the department, Ohio medicaid, or a board;

(4) The provider permits an employee to falsify information on client records;

(5) The provider is aware of an employee who has abused or neglected a client and has failed to take appropriate disciplinary action to correct the situation;

(6) The provider fails to provide timely access to its records as requested by the department;

~~(2)~~(7) Upon the ~~second~~ renewal of ~~an agency's~~ a provider's ~~probationary conditional~~ certificate issued in accordance with paragraph (A)(1) of rule 5122-25-05 of the administrative code; or,

~~(3)~~(8) The **agency provider**:

(a) Loses accreditation as specified in paragraphs (A) and ~~(B)~~(C) of rule 5122-25-02 of the Administrative Code; or

~~(b) Fails to remain in compliance with comparable licensure and/or certification requirements of another state department for which it has received reciprocity, per paragraph (C) of rule 5122-25-03 of the Administrative Code; or~~

(b) Fails to timely notify the department of its decision not to renew its accreditation; or,

(c) If the **agency provider** or principal in the **agency provider** has been convicted of medicaid fraud.

(B) The denial of an application for certification or the revocation of certification is subject to appeal under Chapter 119. of the Revised Code.

(C) Any provider which has had its certification revoked pursuant to this rule shall not be eligible to apply to the department for certification for at least five years from the date of revocation without the written consent of the department.

(D) Any provider which has been denied certification pursuant to this rule shall not be eligible to apply to the department for certification for at least three years from the date of denial without the written consent of the department.

~~(C)~~(E) A certificate shall be considered terminated and invalid if the ~~agency provider~~ fails to reapply sixty days after the department notifies the provider of its failure to file an application for certification., voluntarily relinquishes the certificate, or goes out of business.

~~(D)~~(F) Certificates shall be returned to the department upon denial, termination, revocation, or upon voluntarily discontinuing operation of the ~~agency provider~~.