

*****DRAFT - NOT FOR FILING*****

5122-14-05 Termination of license.

- ~~(A)~~ (A) The purpose of this rule is to state criteria and procedures for termination of an inpatient psychiatric service provider license.
- ~~(B)~~ (B) The provisions of this rule are applicable to each inpatient psychiatric service provider licensed by the department.
- ~~(C)~~ (C) Definitions applying to this rule are those appearing in rule 5122-14-01 of the Administrative Code.
- ~~(D)~~ (A) The inpatient psychiatric service provider's existing license shall remain in effect until the department grants a full, probationary, or interim license or rescinds the license in accordance with provisions of Chapter 119. of the Revised Code.
- ~~(E)~~ (B) The department may refuse to grant or renew, or revoke, a full, probationary, or interim license, in accordance with Chapter 119. of the Revised Code if:
- (1) An inpatient psychiatric service provider is found to be in non-compliance with any or all of rules ~~5122-14-01 to 5122-14-14 of the Administrative Code~~ in this chapter and a plan of correction is requested of the inpatient psychiatric service provider by the department and is either not received within the time period specified by the department, is not granted approval by the department, or is not implemented by the inpatient psychiatric service provider; ~~or~~
 - (2) An inpatient psychiatric service provider's submitted application materials are not approved by the department; ~~or~~
 - (3) An inpatient psychiatric service provider ceases provision of inpatient services; ~~or~~
 - (4) An inpatient psychiatric service provider presents or submits false or misleading information as part of a license application, renewal, or investigation;
 - (5) An inpatient psychiatric service provider has been cited for a pattern of serious noncompliance or repeated violations of statutes or rules during the period of current or previous licenses;
 - ~~(4)~~ (6) An inpatient psychiatric service provider does not apply for licensure renewal at least thirty days prior to the expiration date of the license; or,
 - (7) The applicant, operator, manager, or owner is or has been the owner or manager of an inpatient psychiatric service provider that has had a previous license to operate revoked or denied renewal for any reason other than nonpayment of the license fee unless:
 - (a) A minimum period of twenty-four months has passed from the date of the director's order revoking or denying renewal of the inpatient psychiatric service provider's previous license; and
 - (b) The licensure revocation or non-renewal was not due to any act or omission that violated the patient's right to be free from abuse, neglect, or exploitation.
- ~~(F)~~ (C) Notice of the department's intent to deny or revoke a license shall be provided to the inpatient psychiatric service provider in accordance with section 119.07 of the Revised Code. An opportunity for a hearing shall be afforded the inpatient psychiatric service provider in accordance with Chapter 119. of the Revised Code.

*****DRAFT - NOT FOR FILING*****

- ~~(G)~~ (D) The submission of incomplete materials for the application shall be considered a failure to submit an application for licensure, and the non-issuance of an initial license or a renewal license due to an incomplete application shall not be considered the denial or revocation of a license.
- ~~(H)~~ (E) In proceedings initiated to deny, refuse to renew, or revoke licenses, the department may deny, refuse to renew, or revoke a license regardless of whether some or all of the deficiencies that prompted the proceedings have been corrected at the time of the hearing.