

Superseded 3/25/2016

26-18-502 Purpose -- Medicaid certification of nursing care facilities.

- (1) The Legislature finds:
 - (a) that an oversupply of nursing care facility programs in the state adversely affects the state Medicaid program and the health of the people in the state; and
 - (b) it is in the best interest of the state to prohibit Medicaid certification of nursing care facility programs, except as authorized by this part.
- (2) Medicaid reimbursement of nursing care facility programs is limited to:
 - (a) the number of nursing care facility programs with Medicaid certification as of May 4, 2004; and
 - (b) additional nursing care facility programs approved for Medicaid certification under the provisions of Subsections 26-18-503(5) and (7).
- (3) The division may not:
 - (a) except as authorized by Section 26-18-503:
 - (i) process initial applications for Medicaid certification or execute provider agreements with nursing care facility programs; or
 - (ii) reinstate Medicaid certification for a nursing care facility whose certification expired or was terminated by action of the federal or state government; or
 - (b) execute a Medicaid provider agreement with a certified program that moves its nursing care facility program to a different physical facility, except as authorized by Subsection 26-18-503(3).