

**Effective 3/25/2016**

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

- (1) The Legislature finds:
  - (a) that an oversupply of nursing care facilities in the state adversely affects the state Medicaid program and the health of the people in the state;
  - (b) it is in the best interest of the state to prohibit nursing care facilities from receiving Medicaid certification, except as provided by this part; and
  - (c) it is in the best interest of the state to encourage aging nursing care facilities with Medicaid certification to renovate the nursing care facilities' physical facilities so that the quality of life and clinical services for Medicaid residents are preserved.
- (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 9, 2016; 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 to a different physical facility, except as authorized by Subsection 26-18-503(3).

Amended by Chapter 276, 2016 General Session