



Ohio Administrative Code

Rule 5101:6-2-32 State hearings: notice of adverse preadmission screening and resident review (PASRR) determinations.

Effective: April 1, 2019

(A) Notice of adverse preadmission screening (PAS) determination

When an applicant for admission to a nursing facility, receives an adverse determination as the result of a preadmission screening (PAS) performed by the Ohio department of mental health and addiction services (MHAS) or the Ohio department of developmental disabilities (DODD), MHAS or DODD shall provide the affected individual with written notice of the determination in accordance with rules 5122-21-03 and 5123:2-14-01 of the Administrative Code.

(1) The notice shall be mailed or personally delivered to the individual and his or her legal guardian and/or authorized representative, at the time the adverse determination is made.

(2) The notice shall contain:

(a) A clear and understandable statement of the determination and the reasons for it.

(b) Citations of the applicable regulations.

(c) An outline of the implications of the decision for admission to the facility.

(d) An explanation of the individual's right to and the method of obtaining a state hearing.

(e) A telephone number to call about free legal services.

(3) Copies of the notice shall be sent to:

(a) The nursing facility.

(b) The individual's attending physician.



- (c) The discharging hospital.
- (d) The Ohio department of medicaid (ODM) (or designee).
- (B) Notice of adverse resident review (RR) determination

When a resident of a nursing facility receives an adverse determination as the result of a resident review (RR) performed by MHAS or DODD, the determining agency shall provide the affected individual with written notice of the determination.

- (1) The notice shall be mailed or personally delivered to the individual and his or her legal guardian and/or authorized representative at the time the adverse determination is made.
- (2) The notice shall contain:
 - (a) A clear and understandable statement of the determination and the reasons for it.
 - (b) Citations of the applicable regulations.
 - (c) An outline of the implications of the decision for continued residence in the facility.
 - (d) An explanation of the individual's right to and the method of obtaining a state hearing.
 - (e) A telephone number to call about free legal services.
- (3) Copies of the notice shall be sent to:
 - (a) The nursing facility.
 - (b) The individual's attending physician.
 - (c) The discharging hospital.



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(d) The ODM (or designee).