

State/Territory: District of Columbia

Citation

Sanctions for Psychiatric Hospitals

1902(y) (1),
1902(y) (2) (A),
and Section
concerning
1902(y) (3)
of the Act
(P.L. 101-508,
Section 4755(a) (2))

(a) The State assures that the requirements of section 1902(y) (1), section 1902(y) (2) (A), and section 1902(y) (3) of the Act are met

sanctions for psychiatric hospitals that do not meet the requirements of participation when the hospital's deficiencies immediately jeopardize the health and safety of its patients or do not immediately jeopardize the health and safety of its patients.

1902(y) (1) (A)
of the Act

(b) The State terminates the hospital's participation under the State plan when the State determines that the hospital does not meet the requirements for a psychiatric hospital and further finds that the hospital's deficiencies immediately jeopardize the health and safety of its patients.

1902(y) (1) (B)
does
of the Act

(c) When the State determines that the hospital not meet the requirements for a psychiatric hospital and further finds that the hospital's deficiencies do not immediately jeopardize the health and safety of its patients, the State may:

1. terminate the hospital's participation under the State plan; or
2. provide that no payment will be made under the State plan with respect to any individual admitted to such hospital after the effective date of the finding; or
3. terminate the hospital's participation under the State plan and provide that no payment will be made under the State plan with respect to any individual admitted to such hospital after the effective date of the finding.

1902(y) (2) (A)
of the Act

(d) When the psychiatric hospital described in (c) above has not complied with the requirements for a psychiatric hospital within 3 months after the date the hospital is found to be out of compliance with such requirements, the State shall provide that no payment will be made under the State plan with respect to any individual admitted to such hospital after the end of such 3-month period.

TN No. _____
Supersedes
TN No. NEW

Approval Date _____ Effective Date _____

State: District of Columbia

Citation

Sanctions for MCOs and PCCMs

1932(e)
42 CFR 428.726

- (a) The State will monitor for violations that involve the actions and failure to act specified in 42 CFR Part 438 Subpart I and to implement the provisions in 42 CFR 438 Subpart I, in manner specified below:

The State will monitor for violations based on findings from on-site surveys, enrollee or other complaints, financial status or any other source including failure to comply with local and federal regulations and provider agreements obligations.

- (b) The State uses the definition below of the threshold that would be met before an MCO is considered to have repeatedly committed violations of section 1903(m) of the Social Security Act and thus subject to imposition of temporary management:

The definition of threshold the State applies to an MCO for repeated violations, subject to temporary management, is when the MCO has repeatedly failed to meet the substantive requirements of Sections 1903(m) or 1932 of the Social Security Act and continued operation of the MCO would be hazardous to the enrollees.

- (c) The State's contracts with MCOs provide that payments provided for under the contract will be denied for new enrollees when, and for so long as, payment for those enrollees is denied by CMS under 42 CFR 438.730(e).

Not applicable; the State does not contract with MCOs, or the State does not choose to impose intermediate sanctions on PCCMs.

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