



COMMISSIONER
Adelaide Horn

April 18, 2008

To: All Assisted Living Facilities (ALFs), Adult Day Care Facilities (ADCs), Nursing Facilities (NFs), Home and Community Support Services Agencies (HCSSAs), and Intermediate Care Facilities for Persons with Mental Retardation or a Related Condition (ICFs/MR)

Re: **Provider Letter #08-11** – Expired Licenses (replaces PL 05-49)

The purpose of this letter is to provide information regarding expired facility and agency licenses. A license holder must file a timely renewal application to prevent license expiration. A license does not automatically renew. Please note that this is a new requirement for HCSSAs that becomes effective on September 1, 2008.

State law requires all non-exempt ALFs, ADCs, NFs, HCSSAs, and ICFs/MR to have a license to operate. State law also authorizes the Department of Aging and Disability Services (DADS) to take action when a facility or agency is operating without a required license. DADS may pursue legal action if a license holder allows a license to expire and continues to operate a facility or agency after the expiration date. Submitting an initial license application does not prevent DADS from pursuing legal action.

In addition, if your license expires and you have a Medicare or Medicaid provider agreement, we will notify DADS Provider Services and the Centers for Medicare & Medicaid Services of the license status. The absence of state licensure may affect funding streams such as Medicare or Medicaid. You will need to inquire with those funding streams about what impact may occur.

For questions regarding the content of this letter, please contact a policy specialist at 512-438-3161. For questions regarding license renewal, contact the licensing unit at 512-438-2630.

Sincerely,

[signature on file]

Veronda L. Durden
Assistant Commissioner
Regulatory Services

VLD:ca