

nursing home to the director within seven (7) working days of receipt of the rejection.

16.16.l. A nursing home with a repeat deficiency or with deficiencies resulting in immediate jeopardy or causing harm to a resident may not submit a revised plan of correction.

16.16.m. If the nursing home fails to submit a plan of correction that is accepted by the director or to correct any deficiency within the time specified in an accepted plan of correction, the director may assess civil money penalties as provided in this rule or may initiate any other legal or disciplinary action available to him or her in accordance with State law and this rule.

'64-13-17. Deemed Status.

17.1. Approval Process.

17.1.a. Upon approval of deemed status by the Health Care Financing Administration, the director shall accept accreditation by the Joint Commission on the Accreditation of Healthcare Organizations or any other Health Care Financing Administration approved accrediting organization with standards and inspection process comparable to W. Va. Code '16-5C-1, et seq., and the regulations and rules duly promulgated thereunder as evidence that the nursing home demonstrates compliance with or meets all licensing requirements. The director shall not perform a licensing inspection if the following criteria are met:

17.1.a.1. A nursing home sends the director a copy of the organization's official accreditation report within thirty (30) days of the nursing home's notification of accreditation; and

17.1.a.2. Quality of care measures are identified and assured as required by W. Va. Code '16-5C-9a(c).

17.2. Responsibilities of the Director.

17.2.a. The director may use this report in lieu of one (1) regular nursing home licensure inspection.

17.2.b. The director shall make any inspections and investigations as he or she considers necessary, investigate complaints, perform follow up activities on adverse accreditation findings, conduct periodic validation inspections, and perform any Health Care Financing Administration mandated tasks.

17.2.c. Pursuant of W. Va. Code '16-5C-9a(d), the director may revoke the nursing home's exemption from State licensing inspections upon substantiation of a complaint.