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Citation	4.35 Remedies for Skilled Nursing and Intermediate Care Facilities that Do Not Meet Requirements of Participation
1919(h)(1) and (2) of the Act, P.L. 100-203 (Sec. 4213(a))	(a) The Medicaid agency meets the requirements of section 1919(h)(2)(A) through (D) of the Act concerning remedies for skilled nursing and intermediate care facilities that do not meet one or more requirements of participation. ATTACHMENT 4.35-A describes the criteria for applying the remedies specified in section 1919(h)(2)(A)(i) through (iv) of the Act.
	/x/ Not applicable to intermediate care facilities, these services are not furnished under this plan.
	/ / (b) The agency uses the following remedy(ies):
	(1) Denial of payment for new admissions.
	(2) Civil money penalty.
	(3) Appointment of temporary management.
	(4) In emergency cases, closure of the facility and/or transfer of residents.
1919(h)(2)(B)(ii) of the Act	/ / (c) The agency establishes alternative State remedies to the specified Federal remedies (except for termination of participation). ATTACHMENT 4.35-B describes these alternative remedies and specifies the basis for their use.
1919(h)(2)(F) of the Act	/ / (d) The agency uses one of the following incentive programs to reward skilled nursing or intermediate care facilities that furnish the highest quality care to Medicaid residents:
	/ / (1) Public recognition.
	/ / (2) Incentive payments.