

3103 INITIAL LICENSURE

- 3103.1 Prior to initial licensure of a facility, the Director shall conduct an on-site inspection to determine compliance with the Act, and rules governing the facility.
- 3103.2 The Director shall send a written report of the findings to the facility no later than fifteen (15) days from the conclusion of the inspection.
- 3103.3 A facility with deficiencies shall correct them within thirty (30) days upon receipt of the written report prior to the issuance of a license. The facility may submit written proof of correction of deficiencies where appropriate.
- 3103.4 The Director may conduct a follow-up inspection to determine correction of deficiencies cited within ten (10) days following the thirty (30) day correction period or upon notification from the facility that the deficiencies have been corrected.
- 3103.5 The Director shall deny the application for licensure for a facility that has not corrected deficiencies. The facility shall reapply for licensure when deficiencies are corrected, or for a more limited license, if appropriate.
- 3103.6 The Director shall issue a provisional license, not to exceed ninety (90) days, to a facility initially approved.
- 3103.7 The Director shall conduct an unannounced on-site inspection of the facility within ninety (90) days of operation to assess the facility's continued compliance with the Act and rules governing the facility. The Director shall issue a regular license not to exceed one (1) year to a facility that is in full or substantial compliance.
- 3103.8 The Director shall renew a provisional license for a facility not in substantial compliance with the Act and the rules. Facilities taking ameliorative action to correct violations, but without deficiencies that pose a serious and imminent danger to the public's health, safety and welfare may apply for renewal.
- 3103.9 The facility shall correct the deficiencies within sixty (60) days and the Director may require the facility to submit a plan of correction.
- 3103.10 The Director shall conduct an on-site inspection after sixty (60) days to determine correction. The Director shall issue a regular license, not to exceed one (1) year, to the facility if found in substantial compliance.
- 3103.11 The Director shall not renew a provisional license or grant a regular license to a facility not in substantial compliance, not taking ameliorative action, or with deficiencies that pose a serious and imminent danger to the public's health, safety and welfare.

SOURCE: Final Rulemaking published at 39 DCR 5098, 5102 (July 10, 1992).