

206 NOTICE AND PROCEDURE ON HEARING PRIOR TO DENIAL, SUSPENSION, OR REVOCATION OF LICENSE

Whenever the Division decides to deny, suspend, or revoke a license, it shall send to the applicant or licensee a notice stating the reasons for the action by certified mail. The applicant or licensee may appeal such notice to the Director of the Department of Health and Human Services in accordance with Ark. Code Ann. § 20-10-208. See, also, Section 2003 of these regulations.

2003 APPEALS

There is no appeal from an informal dispute resolution decision. If the facility chooses, it may appeal an adverse decision while also undergoing an informal dispute resolution hearing, or it may by-pass the informal dispute resolution process entirely and instead appeal. Appeals must be made to the Director of the Department of Health and Human Services in accordance with Ark. Code Ann. § 20-10-208. Requests must be submitted in writing to:

Director
Department of Health and Human Services
P.O. Box 1437, Slot S201
Little Rock, AR 72203-1437

Medicare and Medicare/Medicaid certified facilities may request a hearing by either the Associate Regional Administrator in the Dallas office of the Health Care Financing Administration or the Departmental Appeals Board at the addresses below at any point within the 60 day time frame for appeals.

HCF-2
Associate Regional Administrator
Division of Health Standards and Quality
Centers for Medicare and Medicaid Services
1200 Main Tower Building
Dallas, TX 75202

Department of Health and Human Services
Departmental Appeals Board, MS 6127
Civil Remedies Division
330 Independence Avenue, S.W.
Cohen Building - Room G-644
Washington, D.C. 20201

If the facility chooses to appeal to either of these agencies, a copy of the appeal should also be forwarded to the OLTC.

**207 NOTICE AND PROCEDURE ON HEARING PRIOR TO DENIAL,
SUSPENSION OR REVOCATION OF A LICENSE**

Whenever the Division imposes a Civil Money Penalty or an Administrative Remedy, it shall send to the applicant or licensee a notice stating the reasons for the action by certified mail. The applicant or licensee may appeal such notice to the Director of the Department of Health and Human Services in accordance with Ark. Code Ann. § 20-10-208.

**APPENDIX A RULES OF ORDER FOR ALL APPEALS BEFORE THE
LONG TERM CARE FACILITY ADVISORY BOARD**

Repealed.

205 NOTICES AND PROCEDURE ON HEARING PRIOR TO DENIAL, SUSPENSION, OR REVOCATION OF LICENSE

Whenever the Division decides to deny, suspend, or revoke a license, it shall send to the applicant or licensee a notice stating the reasons for the action by certified mail. The applicant or licensee may appeal such notice to the Director of the Department of Health and Human Services in accordance with Ark. Code Ann. § 20-10-208. See, also, Section 403 of these regulations.

403 APPEALS

There is no appeal from an informal dispute resolution decision. If the facility chooses, it may appeal an adverse decision while also undergoing an informal dispute resolution hearing, or it may by-pass the informal dispute resolution process entirely and instead appeal. Appeals must be made to the Director of the Department of Human Services in accordance with Ark. Code Ann. § 20-10-208. Requests must be submitted in writing to:

Director
Department of Health and Human Services
P.O. Box 1437, Slot S201
Little Rock, AR 72203-1437

Medicare and Medicare/Medicaid certified facilities may request a hearing by either the Associate Regional Administrator in the Dallas office of the Centers for Medicare and Medicaid Services or the Departmental Appeals Board at the addresses below at any point within the 60 day time frame for appeals.

HCF-2
Associate Regional Administrator
Division of Health Standards and Quality
Centers for Medicare and Medicaid Services
1200 Main Tower Building
Dallas, TX 75202

Department of Health and Human Services
Departmental Appeals Board, MS 6127
Civil Remedies Division
330 Independence Avenue, S.W.
Cohen Building - Room G-644
Washington, D.C. 20201

If the facility chooses to appeal to either of these agencies, a copy of the appeal should also be forwarded to the OLTC.

**206 NOTICES AND PROCEDURE ON HEARING PRIOR TO DENIAL,
SUSPENSION OR REVOCATION OF LICENSE**

- 206.1 Whenever the Division decides to deny, suspend, or revoke a license, it shall send to the applicant or licensee a notice stating the reasons for the action by certified mail. The applicant or licensee may appeal such notice to the Director of the Department of Health and Human Services in accordance with Ark. Code Ann. § 20-10-208.

212. Notice and Procedure on Hearing Prior to Denial, Suspension, or Revocation of a License: Whenever the Office of Long Term Care denies, suspends, or revokes a License, it shall send to the applicant or Licensee, by certified mail, a notice stating the reasons for the action. The applicant or Licensee may appeal such notice to the Director of the Department of Health and Human Services in accordance with Ark. Code Ann. § 20-10-208.