



Medicare and Medicaid Notice to the Public

Notice is hereby given that on October 10, 2023, the Centers for Medicare & Medicaid Services (CMS) will terminate the agreement between the Secretary of Health and Human Services and Westbrook Place Rehabilitation and Nursing Center in Westlake, OH, as a skilled nursing facility in the Medicare program. In addition, as authorized by the Ohio Department of Medicaid, notice is given that the provider's agreement as a nursing facility in the Medicaid program will be terminated effective October 10, 2023.

CMS has determined that Westbrook Place Rehabilitation and Nursing Center has failed to attain substantial compliance with the following Medicare and Medicaid participation requirements:

- 42 C.F.R. § 483.12(a)(1) -- Free From Abuse And Neglect
- 42 C.F.R. § 483.70(d)(1)(2) -- Governing Body
- 42 C.F.R. § 483.12(b)(1)-(5)(ii)(iii) -- Develop/implement Abuse/neglect Policies
- 42 C.F.R. § 483.60(i)(1)(2) -- Food Procurement, store/prepare/serve-Sanitary
- 42 C.F.R. § 483.70 -- Administration
- 42 C.F.R. § 483.70(e)(1)-(3) -- Facility Assessment
- 42 C.F.R. § 483.90(d)(2) -- Essential Equipment, Safe Operating Condition
- 42 C.F.R. § 483.90(i) -- Safe/functional/sanitary/comfortable Environ
- 42 C.F.R. § 483.75(g)(1)(i)-(iii)(2)(i); 483.80(c) -- QAA Committee
- 42 C.F.R. § 483.12(a)(1) -- Free From Abuse And Neglect
- 42 C.F.R. § 483.10(e)(3) -- Reasonable Accommodations Needs/preferences
- 42 C.F.R. § 483.25(b)(1)(i)(ii) -- Treatment/Services To Prevent/heal Pressure Ulcer
- 42 C.F.R. § 483.35(a)(1)(2) -- Sufficient Nursing Staff
- 42 C.F.R. § 483.60 -- Provided Diet Meets Needs Of Each Resident
- 42 C.F.R. § 483.60(c)(1)-(7) -- Menus Meet Resident Nds/prep In Adv/followed
- 42 C.F.R. § 483.60(d)(4)(5) -- Resident Allergies, Preferences, Substitutes
- 42 C.F.R. § 483.60(i)(4) -- Dispose Garbage And Refuse Properly
- 42 C.F.R. § 483.70 -- Administration
- 42 C.F.R. § 483.70(d)(1)(2) -- Governing Body
- 42 C.F.R. § 483.85(a)-(e) -- Compliance And Ethics Program
- 42 C.F.R. § 483.90(i) -- Safe/functional/sanitary/comfortable Environ
- NFPA 101 – Life Safety Code Requirements

The Medicare program will not make payment for skilled nursing facility services furnished to residents admitted to the facility on or after August 31, 2023. This date is due to a previously imposed denial of payment for new admissions. For residents admitted prior to August 31, 2023, payment may continue to be made for up to 30 days of services after October 10, 2023, the date of termination.

In addition, Federal Financial Participation will not be available to the State for any Medicaid residents admitted to the facility on or after August 31, 2023. For Medicaid residents admitted prior to August 31, 2023, Federal Financial Participation may continue to be made to the State

for up to 30 days of covered services to qualified residents furnished on or after October 10, 2023, the date of termination.

This action is mandated by Section 1819(h)(2)(C) and 1919(h)(3)(D) of the Social Security Act and Federal regulations at 42 CFR §§ 488.412 and 488.456. If the provider demonstrates substantial compliance with all CMS requirements, and a revisit survey confirms substantial compliance, prior to October 10, 2023, the provider will remain active in the Medicare Program and CMS will not terminate their provider agreement.