



CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
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Medicare and Medicaid Notice to the Public

Notice is hereby given that on March 21, 2024, the Centers for Medicare & Medicaid Services (CMS) will terminate the agreement between the Secretary of Health and Human Services and Astoria Place of Cincinnati, Cincinnati, 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 March 21, 2024.

CMS has determined that Astoria Place of Cincinnati has failed to attain substantial compliance with the following Medicare and Medicaid participation requirements:

- 42 C.F.R. § -- 483.21(b)(1)(3) -- Develop/Implement Comprehensive Care Plan
 - 42 C.F.R. § -- 483.21(b)(2)(i)-(iii) -- Care Plan Timing and Revision
 - 42 C.F.R. § -- 483.45(c)(1)(2)(4)(5) -- Drug Regimen Review, Report Irregular, Act On
 - 42 C.F.R. § -- 483.45(c)(3)(e)(1)-(5) -- Free From Unnecessary Psychotropic Meds/PRN Use
 - 42 C.F.R. § -- 483.60(i)(1)(2) -- Food Procurement, Store/Prepare/Serve-Sanitary
 - 42 C.F.R. § -- 483.20(f)(5), 483.70(i)(1)-(5) -- Resident Records - Identifiable Information
 - 42 C.F.R. § -- 483.10(i)(4), 483.90(e)(2)(3) -- Resident Room Bed/Furniture/Closet
 - 42 C.F.R. § -- 483.90(i) -- Safe/Functional/Sanitary/Comfortable Environment
 - 42 C.F.R. § -- 483.10(i)(1)-(7) -- Safe/Clean/Comfortable/Homelike Environment
 - 42 C.F.R. § -- 483.10(i)(1)-(7) -- Safe/Clean/Comfortable/Homelike Environment
 - 42 C.F.R. § -- 483.10(f)(4)(i)(A)-(G) -- Immediate Access to Resident
 - 42 C.F.R. § -- 483.10(i)(1)-(7) -- Safe/Clean/Comfortable/Homelike Environment
 - 42 C.F.R. § -- 483.12(a)(1) -- Free from Abuse and Neglect
 - 42 C.F.R. § -- 483.90(d)(2) -- Essential Equipment, Safe Operating Condition
 - 42 C.F.R. § -- 483.10(g)(14)(i)-(iv)(15) -- Notify of Changes (Injury/Decline/room, etc.)
 - 42 C.F.R. § -- 483.12 -- Free from Misappropriation/Exploitation
 - 42 C.F.R. § -- 483.12(b)(5)(i)(A)(B)(c)(1)(4) -- Reporting of Alleged Violations
 - 42 C.F.R. § -- 483.12(c)(2)-(4) -- Investigate/Prevent/Correct Alleged Violation
 - 42 C.F.R. § -- 483.25 -- Quality of Care
 - 42 C.F.R. § -- 483.25(d)(1)(2) -- Free of Accident Hazards/Supervision/Devices
- 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 December 21, 2023. This date is due to a previously imposed denial of payment for new admissions. For residents admitted prior to December 21, 2023, payment may continue to be made for up to 30 days of services after March 21, 2024, 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 December 21, 2023. For Medicaid residents admitted prior to December 21, 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 March 21, 2024, 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 March 21, 2024, the provider will remain active in the Medicare Program and CMS will not terminate their provider agreement.