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## 42 C.F.R. § 455.101

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### Definitions.

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*Additional disclosable party* means, with respect to a nursing facility defined in section 1919(a) of the Act, any person or entity who—

- (1) Exercises operational, financial, or managerial control over the facility or a part thereof, or provides policies or procedures for any of the operations of the facility, or provides financial or cash management services to the facility;
- (2) Leases or subleases real property to the facility, or owns a whole or part interest equal to or exceeding 5 percent of the total value of such real property; or
- (3) Provides management or administrative services, management or clinical consulting services, or accounting or financial services to the facility.

*Affiliation* means, for purposes of applying § 455.107, any of the following:

- (1) A 5 percent or greater direct or indirect ownership interest that an individual or entity has in another organization.
- (2) A general or limited partnership interest (regardless of the percentage) that an individual or entity has in another organization.
- (3) An interest in which an individual or entity exercises operational or managerial control over, or directly or indirectly conducts, the day-to-day operations of another organization (including, for purposes of this paragraph (3), sole proprietorships), either under contract or through some other arrangement, regardless of whether or not the managing individual or entity is a W-2 employee of the organization.
- (4) An interest in which an individual is acting as an officer or director of a corporation.
- (5) Any payment assignment relationship under § 447.10(g) of this chapter.

*Agent* means any person who has been delegated the authority to obligate or act on behalf of a provider.

*Disclosable event* means, for purposes of § 455.107, any of the following:

- (1) Currently has an uncollected debt to Medicare, Medicaid, or CHIP, regardless of—
  - (i) The amount of the debt;
  - (ii) Whether the debt is currently being repaid (for example, as part of a repayment plan); or

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