
42 C.F.R. § 485.610

Condition of participation: Status and location.

(a) *Standard: Status.* The facility is —

- (1) A currently participating hospital that meets all conditions of participation set forth in this subpart;
- (2) A recently closed facility, provided that the facility—
 - (i) Was a hospital that ceased operations on or after the date that is 10 years before November 29, 1999; and
 - (ii) Meets the criteria for designation under this subpart as of the effective date of its designation; or
- (3) A health clinic or a health center (as defined by the State) that—
 - (i) Is licensed by the State as a health clinic or a health center;
 - (ii) Was a hospital that was downsized to a health clinic or a health center; and
 - (iii) As of the effective date of its designation, meets the criteria for designation set forth in this subpart.

(b) *Standard: Location in a rural area or treatment as rural.* The CAH meets the requirements of either paragraph (b)(1) or (b)(2) of this section or the requirements of paragraph (b)(3), (b)(4), or (b)(5) of this section.

(1) The CAH meets the following requirements:

- (i) The CAH is located outside any area that is a Metropolitan Statistical Area, as defined by the Office of Management and Budget, or that has been recognized as urban under § 412.64(b), excluding paragraph (b)(3) of this chapter;
 - (ii) The CAH has not been classified as an urban hospital for purposes of the standardized payment amount by CMS or the Medicare Geographic Classification Review Board under § 412.230(e) of this chapter, and is not among a group of hospitals that have been redesignated to an adjacent urban area under § 412.232 of this chapter.
- (2) The CAH is located within a Metropolitan Statistical Area, as defined by the Office of Management and Budget, but is being treated as being located in a rural area in accordance with § 412.103 of this chapter.

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