
42 C.F.R. § 488.450

Continuation of payments to a facility with deficiencies.

(a) *Criteria.* (1) CMS may continue payments to a facility not in substantial compliance for the periods specified in paragraph (c) of this section if the following criteria are met:

- (i) The State survey agency finds that it is more appropriate to impose alternative remedies than to terminate the facility;
- (ii) The State has submitted a plan and timetable for corrective action approved by CMS; and
- (iii) The facility, in the case of a Medicare SNF, or the State, in the case of a Medicaid NF, agrees to repay the Federal government payments received under this provision if corrective action is not taken in accordance with the approved plan and timetable for corrective action.

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