

**RULES OF
GEORGIA DEPARTMENT OF COMMUNITY HEALTH
HEALTHCARE FACILITY REGULATION DIVISION
REVISE CHAPTER 111-8-56
RULES FOR NURSING HOMES**

SYNOPSIS OF PROPOSED RULE CHANGES

STATEMENT OF PURPOSE: The Georgia Department of Community Health proposes to revise the Rules and Regulations for Nursing Homes, Chapter 111-8-56, in response to the adoption of HB 920 which requires each facility to carry or be covered by liability insurance or have established for its benefit a self-insurance trust for a nursing home claim as a condition precedent to obtaining or maintaining a permit to operate a nursing home. These changes are being proposed pursuant to the authority granted the Department of Community Health in O.C.G.A. § 31-6-21 and O.C.G.A. § 31-6-21.1.

MAIN FEATURE OF THE PROPOSED RULE: Addition of the requirement for each facility to carry or be covered by liability insurance or have established for its benefit a self-insurance trust for a nursing home claim as a condition precedent to obtaining or maintaining a permit to operate a nursing home.

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DEPARTMENT OF COMMUNITY HEALTH**

**CHAPTER 111-8
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NURSING HOMES**

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111-8-56-.03 Administration. Amended.

(5) The home and its premises shall be used only for the purposes for which the home is operated and permitted.

(6) Each home shall, as a condition precedent to obtaining or maintaining a permit to operate a nursing home, carry or be covered by liability insurance coverages or establish or have established for its benefit a self-insurance trust for a nursing home claim. If a home fails to carry or be covered by liability insurance coverages or establish or have established for its benefit a self-insurance trust for a nursing home claim, the Department shall provide notice to such home of its noncompliance and allow such home 60 days in which to comply. A home's failure to maintain such coverage or establish such trust shall result in the Department:

(a) Revoking such home's permit issued to operate the nursing home;

(b) Denying any application to renew such permit; and

(c) Denying any application for a change of ownership of the nursing home.

(7) In response to a reasonable request by a patient or visitor, privacy shall be afforded for conversation and/or consultations.

Authority: O.C.G.A. § 31-7-1 et seq.

111-8-56-.19 Application for a Permit. Amended.

(5) Proof of ownership shall accompany the application.

(a) Corporations shall submit a copy of their charter and the name and address of all owners with ten (10) percent or more of the stock and shall identify each

corporate officer;

(b) Nonprofit associations and hospital authorities shall submit legal proof of the organization, the name and address of each trustee and the office held, if any;

(c) All others shall submit the name and address of each person owning any part of the facility.

(6) Proof of an active liability insurance policy or a self-insurance trust for the home's benefit for a nursing home claim.

Authority: O.C.G.A. §§ 31-2-4 et seq. and 31-7-1 et seq.