

- Hold a current license from the State or other applicable authority to operate as a nursing home and this information has been verified with the appropriate authority; **or**
- Provide services in compliance with all applicable Federal, State, and local laws, regulations, and codes, and with accepted professional standards and principles that apply to any professional providing services in the facility, whether temporary or permanent.

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(Rev. 225; Issued: 08-08-24; Effective: 08-08-24; Implementation: 08-08-24)

§483.70(d) Governing body.

§483.70(d)(1) The facility must have a governing body, or designated persons functioning as a governing body, that is legally responsible for establishing and implementing policies regarding the management and operation of the facility; and

§483.70(d)(2) The governing body appoints the administrator who is—

- (i) Licensed by the State, where licensing is required;**
- (ii) Responsible for management of the facility; and**
- (iii) Reports to and is accountable to the governing body.**

§483.70(d)(3) The governing body is responsible and accountable for the QAPI program, in accordance with §483.75(f).

INTENT §483.70(d)

This regulation is intended to ensure that the facility has an active (engaged and involved) governing body that is responsible for establishing and implementing policies regarding the management of the facility.

DEFINITIONS §483.70(d)

“Governing body” refers to individuals such as facility owner(s), Chief Executive Officer(s), or other individuals who are legally responsible to establish and implement policies regarding the management and operations of the facility.

GUIDANCE

§483.70(d)

The facility must determine:

- A process and frequency by which the administrator reports to the governing body, the method of communication between the administrator and the governing body including, how the governing body responds back to the administrator and what specific types of problems and information (i.e., survey results, allegations of abuse or neglect, complaints, etc.) are reported or not reported directly to the governing body;