

441—24.6(225C) Deemed status (all services). The division shall grant deemed status to organizations accredited by a recognized national, not-for-profit, accrediting body when the division determines the accreditation is for similar services. The division may also grant deemed status for supported community living services to organizations that are certified under the Medicaid home- and community-based services (HCBS) intellectual disability waiver.

24.6(1) National accrediting bodies.

a. The national accrediting bodies currently recognized as meeting division criteria for possible deeming are:

- (1) The Joint Commission (TJC).
- (2) The Commission on Accreditation of Rehabilitation Facilities (CARF).
- (3) The Council on Quality and Leadership (The Council).
- (4) The Council on Accreditation (COA).

b. The accreditation credentials of these national bodies must specify the type of organization, programs, and services that these bodies accredit and include targeted population groups, if appropriate.

c. Deemed status means that the division is accepting an outside body's review, assessment, and accreditation of an organization's functioning and services. Therefore, the accrediting body doing the review must be assessing categories of organizations and types of programs and services corresponding to those described under this chapter. An organization that has deemed status must adhere to and be accountable for the rules in this chapter.

d. When an organization that is nationally accredited requests deemed status for services not covered by the national body's standards but covered under this chapter, the division shall accredit those services. Division staff shall provide technical assistance to organizations with deemed status.

24.6(2) Application for deemed status.

a. To apply for deemed status, the organization shall submit Form 470-3332, Application and Letter of Agreement; copy of the latest survey report; documentation related to any corrective action required; accreditation certificate; documentation of specific programming policies and procedures for populations being served; and credentials for staff providing services to populations served.

b. The division shall not accept an application for deemed status once the division has begun an on-site visit. The organization shall complete the accreditation process.

24.6(3) Requirements for deemed status. To be eligible for deemed status, the organization shall:

a. Be currently accredited:

- (1) By a recognized national accrediting body for services as defined in subrule 24.6(1); or
- (2) For supported community living under the Medicaid HCBS intellectual disability waiver pursuant to 441—subrule 77.37(14). If individuals with mental illness are served, the organization must submit verification of the training and experience of the staff to show that its staff can meet the needs of the individuals served.

b. Require staff for the program being deemed to have the necessary training and experience to meet the needs of the population served.

c. Require staff to meet the incident reporting requirements in subrule 24.4(5).

24.6(4) Granting of deemed status. When the division grants deemed status, the accreditation period shall coincide with the period awarded by the national accrediting body or the certification for home- and community-based services. However, under no circumstances shall the division award accreditation for longer than five years.

24.6(5) Reservations. When deemed status is granted, the division reserves rights to the following:

a. To have division staff conduct on-site reviews for those organizations applying for deemed status which the division has not previously accredited.

b. To have division staff do joint site visits with the accrediting body, attend exit conferences, or conduct focused follow-behind visits as determined to be appropriate in consultation with the national accrediting organization and the provider organization.

c. To be informed of and to investigate all complaints that fall under this chapter's jurisdiction according to the process in rule 441—24.7(225C). The division shall report findings to the national accrediting body.

d. To review and act upon deemed status when:

- (1) Complaints have been founded, or
- (2) The organization's national accreditation status expires without renewal, or
- (3) The national accrediting body downgrades or withdraws the organization's status.

24.6(6) *Continuation of deemed status.*

a. The organization shall send a copy of Form 470-3332, Application and Letter of Agreement, along with a copy of the application for renewal to the national accrediting body at the same time as application is made to a national accrediting body.

b. HCBS staff shall furnish to the division copies of the letter notifying a provider of a forthcoming recertification for organizations deemed for supported community living under the HCBS intellectual disability waiver.

c. Following the on-site review by a national accrediting body, the organization shall send the division a copy of the cover sheet and the national accrediting body report within 30 calendar days from the date that the organization receives the documents. If a corrective action plan is required, the organization shall send the division a copy of all correspondence and documentation related to the corrective action.

d. HCBS staff shall furnish the division with copies of HCBS certification reports and any corrective action required by HCBS within 30 calendar days after HCBS staff complete the report or the organization completes required corrective action.

[ARC 6321C, IAB 5/18/22, effective 7/1/22]