**Section 104.304 Department Actions Against Nursing Homes Facilities**

a) A single administrative hearing procedure for skilled nursing facilities and intermediate care facilities will be followed in those cases where:

1) The Department of Public Aid is seeking to deny, suspend or terminate the facility's participation in the Medical Assistance Program pursuant to 89 Ill. Adm. Code 140.14 or 140.16; and

2) The Department of Public Health, seeks to deny, terminate or refuse to renew the facility's certification to participate in the Medicaid Program.

b) These rules shall not apply when the Department of Public Aid is seeking to deny, suspend or terminate the facility's participation in the Medical Assistance Program pursuant to 89 Ill. Adm. Code 140.14 or 140.16 but no action is being taken by the Department of Public Health to deny, terminate or fail to renew the facility's certification to participate in the Medicaid program.

(Source: Amended at 15 Ill. Reg. 6557, effective April 30, 1991)