**Section 140.504 Cessation of Payment Because of Termination of Facility**

a) The Department shall cease payments for the care of a Medicaid client residing in an ICF/MR facility effective 30 days following the Department's decision after hearing that the facility be terminated from participation in the Department's Medical Assistance Program, unless the Department determines, pursuant to subsection (c) below, that payments should be continued.

b) The Department shall cease payments for care of a Medicaid client residing in a nursing home (not an ICF/MR facility) effective with the termination date established by the Department, unless the Department determines, pursuant to subsection (c) below, that payments should be continued. Pursuant to 89 Ill. Adm. Code 104.208(c), the termination will be effective on such date regardless of whether any hearing requested has been completed.

c) The Department has sole discretion to continue payment after the termination date when there are circumstances affecting the health, safety, and welfare of the long term care facility's residents which justify continued payment. Such circumstances include, but are not limited to, alternate facility placement cannot be found or transfer of a resident, as certified by a physician, may endanger the resident's life.

(Source: Amended at 19 Ill. Reg. 15692, effective November 6, 1995)