**Section 145.50 Subsequent IMD Reviews, Determinations and Classifications**

a) Subsequent reviews of data on nursing facility residents in enrolled nursing facilities shall be conducted periodically using the Minimum Data Set data electronically submitted to the Department.

b) The percentage of residents whose current need for nursing facility care results from mental disease will be determined by dividing the number of the residents whose current need for nursing facility care results from mental disease, identified in the data review in subsection (a) of this Section, by the total resident census. The facility's total resident census shall be determined by the Department at the time of the data review.

c) If a subsequent data review indicates that further information is needed in order to determine whether the current need for nursing facility care for more than 50 percent of all residents in the facility results from mental diseases, the Department may contact the facility or make an on-site visit to obtain additional information. The Department will verify the resident count and make a determination of the facility's status based on the IMD Guidelines.

d) Within 45 days after the on-site visit, the Department shall determine whether the facility is an IMD and notify the facility of its IMD status.

e) A facility determined to be an IMD as the result of a subsequent data review and determination shall be classified as a Class II IMD nursing facility effective the first day of the quarter after the determination. A change in ownership or operator shall not change or otherwise affect the designation of a facility as an IMD under this Section.

f) No facility may be classified as a Class I IMD nursing facility as a result of a subsequent review under this Section.