

Annex A

TITLE 28. HEALTH AND SAFETY

PART V. DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

**CHAPTER 709. STANDARDS FOR LICENSURE OF FREESTANDING
TREATMENT FACILITIES**

SUBCHAPTER B. LICENSING PROCEDURES

§709.11. Application for license.

- (a) Persons, partnerships, corporations, or other legal entities intending to provide drug and alcohol treatment services shall apply for a license from the Department. Application shall be made using forms and procedures prescribed by the Department.
- (b) The license shall expire 1 to 2 years, but no later than 2 years from the date of issuance. Prior to the expiration of the current license, the Department will notify the facility of the date of an ~~annual~~ on-site inspection for renewal of license. For facilities that have held a full license issued by the Department for the 2 years immediately preceding the current inspection, the Department may grant a license that expires more than 1 year from the date of issuance, except where any of the following circumstances occurred during the prior 2 years:
 - (1) The facility has been cited for conduct or omissions that jeopardized the safety of any persons for whom the facility is responsible;
 - (2) The facility has been cited for conduct or omissions that substantially compromised the quality of treatment provided;
 - (3) The facility has been cited for conduct or omissions that violated a client's confidentiality rights afforded by federal or state law;
 - (4) The facility has been cited for conduct or omissions that resulted in treatment being provided for which a client has not provided informed consent; and/or
 - (5) The facility has failed to take reasonable and timely remedial measures requested in writing by the Department.
- (c) The Department will notify the appropriate SCA of applications for and issuance of a license to any facility or individual within the SCA's area of responsibility.

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§709.14. Restriction on license.

- (a) A license applies to the person, the named facility, the premises designated therein and the activities notes, and is not transferable.
- (b) The licensee, using Department forms, shall notify the Department ~~within 90 days of~~ no less than 30 days prior to the occurrence of any of the following conditions:
 - (1) Change in ownership.
 - (2) Change in name of facility.
 - (3) Change in location of the facility.
 - (4) Change in activity/discontinuance of any activity.
 - (5) Change in authorized maximum capacity.
 - (6) Closing of facility.

This subsection does not apply to the unusual incidents that are subject to the provisions of Section 709.34. Reporting of Unusual Incidents.

- (c) Failure to notify the Department under subsection (b) ~~will~~ may result in automatic expiration of the license. In the event of an automatic expiration of the license, the Department will collaborate with the facility to ensure continuity of care for the facility's patients.

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