



Office of Health Assurance and Licensing Nursing Home Interpretive Guidance 2015 – 1 March 4, 2015

Subject: License Renewal of a Nursing Home That Closes Prior to the Renewal Period

Summary: Although an Operator of a nursing home may continue to renew the license of a nursing home after the home closes, the Certificate of Need (CON) law prohibits an operator from reopening a nursing home that has closed without obtaining a CON.

Discussion: Revised Code §3721.07 provides in part that the license shall remain in effect until revoked by the director or voided at the request of the applicant; provided, there shall be an annual renewal fee payable during the month of January of each calendar year. Any licensed home that does not pay its renewal fee in January shall pay, beginning the first day of February, a late fee of one hundred dollars for each week or part thereof that the renewal fee is not paid. If either the renewal fee or the late fee is not paid by the fifteenth day of February the director may, in accordance with R.C. Chapter 119., revoke the home's license.


Ohio Administrative Code rule 3701-17-03(D) provides in part that the Operator of a nursing home shall truthfully and fully submit a license renewal application and pay the renewal fee. The renewal fee application and the renewal fee shall be submitted using an electronic system prescribed by the director.¹

The renewal of a nursing home license is automatic upon the receipt of a renewal application and payment of the required fee. There is no authority for the Director to deny a renewal of a nursing home license. Therefore, if a nursing home closes, the Operator may renew the license, but the Operator may not reopen the nursing home after closing without obtaining a CON. See attached CON Interpretive Guidance 2014-1.

If an Operator does not wish to renew a license of a closed home, the Operator may request in writing that the Director void the license. The Operator should return the license certificate with the request to void the license. Upon the written request of an Operator to not renew and void

¹ The electronic system may not allow the submission of the renewal application and fee if the nursing home is under enforcement or the home has not had a state fire marshal inspection within the previous 15 months. In the event the electronic system does not permit electronic submission for reasons of enforcement or otherwise, the Operator is still required to submit a renewal application by January 31 of each calendar year and may do so by mailing a paper copy of the application and a check to the Ohio Department of Health. A renewal form and instructions for submitting by mail is available on the Ohio Department of Health web page under "Nursing homes/facilities."

the license, the Department shall void the license as requested, effective on the date requested in the writing, or if no date is requested, the date the Department receives the written request.



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