



Medicare and Medicaid Notice to the Public

Notice is hereby given that on April 25, 2022 the Centers for Medicare & Medicaid Services (CMS) will terminate the agreement between the Secretary of Health and Human Services and Avocado Post Acute, El Cajon, California as a skilled nursing facility in the Medicare program. In addition, as authorized by the California State Medicaid Agency, notice is given that the provider's agreement as a nursing facility in the Medicaid program will also be terminated effective April 25, 2022.

CMS has determined that Avocado Post Acute has failed to attain substantial compliance with the following Medicare and Medicaid participation requirements:

- 42 CFR §483.12 –Freedom from Abuse, Neglect, and Exploitation
- 42 CFR §483.25 – Quality of Care

The Medicare program will not make payment for skilled nursing facility services furnished to residents admitted to the facility on or after January 25, 2022. For residents admitted prior to January 25, 2022, payment may continue for up to 30 days of services on or after April 25, 2022, the date of termination.

In addition, Federal Financial Participation will not be available to the State for any Medicaid residents admitted to the facility on or after January 25, 2022. For Medicaid residents admitted prior to January 25, 2022, Federal Financial Participation may continue to be made to the State for up to 30 days of covered services to qualified residents furnished on or after April 25, 2022, the date of termination.

This action is mandated by Sections 1819(h)(2)(C) of the Social Security Act and Federal regulations at 42 CFR §488.412 and 488.456. If the provider demonstrates substantial compliance with all CMS requirements, and a revisit survey confirms substantial compliance, prior to April 25, 2022, the provider will remain active in the Medicare Program and CMS will not terminate their provider agreement.

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