

## § 456.600

meet the requirements of §§ 456.521 through 456.523.

### **Subpart I—Inspections of Care in Intermediate Care Facilities and Institutions for Mental Diseases**

#### **§ 456.600 Purpose.**

This subpart prescribes requirements for periodic inspections of care and services intermediate care facilities (ICF's), and institutions for mental diseases (IMD's).

[43 FR 45266, Sept. 29, 1978, as amended at 61 FR 38399, July 24, 1996]

#### **§ 456.601 Definitions.**

For purposes of this subpart—

*Facility* means an institution for mental diseases, or an intermediate care facility.

*Intermediate care facility* includes institutions for Individuals with Intellectual Disabilities or persons with related conditions but excludes religious nonmedical institutions as defined in § 440.170(b) of this chapter.

*Institution for mental diseases* includes a mental hospital, a psychiatric facility, and an intermediate care facility that primarily cares for mental patients.

*Psychiatric facility* includes a facility or program that provides inpatient psychiatric services for individuals under 21, as specified in § 441.151 of this chapter, but does not include psychiatric wards in acute care hospitals.

[44 FR 56337, Oct. 1, 1979, as amended at 61 FR 38399, July 24, 1996; 64 FR 67052, Nov. 30, 1999]

#### **§ 456.602 Inspection team.**

(a) A team, as described in this section and § 456.603 must periodically inspect the care and services provided to beneficiaries in each facility.

(b) Each team conducting periodic inspections must have at least one member who is at physician or registered nurse and other appropriate health and social service personnel.

(c) For an IMD other than an ICF, each team must have a psychiatrist or physician knowledgeable about mental institutions and other appropriate mental health and social service personnel.

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(d) For an ICF that primarily cares for mental patients, each team must have at least one member who knows the problems and needs of mentally retarded individuals.

(e) For an institution for Individuals with Intellectual Disabilities or persons with related conditions, each team must have at least one member who knows the problems and needs of mentally retarded individuals.

(f) For ICFs primarily serving individuals 65 years of age or older, each team must have at least one member who knows the problems and needs of those individuals.

(g) If there is no physician on the team, the Medicaid agency must insure that a physician is available to provide consultation to the team.

(h) If a team has one or more physicians, it must be supervised by a physician.

#### **§ 456.603 Financial interests and employment of team members.**

(a) Except as provided in paragraph (b) of this section—

(1) [Reserved]

(2) No member of a team that reviews care in an ICF may have a financial interest in or be employed by any ICF.

(b) A member of a team that reviews care in an IMD or an institution for Individuals with Intellectual Disabilities or persons with related conditions—

(1) May not have a financial interest in any institution of that same type but may have a financial interest in other facilities or institutions; and

(2) May not review care in an institution where he is employed but may review care in any other facility or institution.

[43 FR 45266, Sept. 29, 1978, as amended at 61 FR 38399, July 24, 1996]

#### **§ 456.604 Physician team member inspecting care of beneficiaries.**

No physician member of a team may inspect the care of a beneficiary for whom he is the attending physician.

#### **§ 456.605 Number and location of teams.**

There must be a sufficient number of teams so located within the State that