

Deemed Site Status for Substance Use and Mental Health Providers

This document is provided as guidance and is not a legal document. It does not override or replace the need to be familiar with rules. Current rules may be found on the [DLBC website](#).

Purpose

This manual outlines the procedure, requirements, and process for obtaining and maintaining **Deemed Site Status** for eligible Substance Use and Mental Health providers.

Definitions

Deemed Site — A site operated by a licensee that has been approved by the department to be a deemed site. ([26B-2-110](#))

Good standing –The licensee has not had a citation from the Office of Licensing that is considered by the department as moderate, high, or extreme noncompliance in the previous 24 months and does not have a finding by their accrediting organization that would be considered as moderate, high, or extreme if cited by the Office of Licensing. The licensee also does not have outstanding fees or civil money penalties owed to the department.

1. Is my license eligible for deemed status?

Eligibility

To be eligible for deemed status your license must meet the following eligibility requirements:

- The site must have a DHHS Human Services license as an adult substance use or mental health provider.
- The licensee must be in good standing.
- The licensee must be accredited by a national accrediting organization.
 - Examples of national accreditation organizations are Commission on Accreditation of Rehabilitation Facilities (CARF) and Joint Commission Accreditation (JCO).
- The licensee is still subject to all licensing fees.
- The licensee is still subject to investigations of complaints or incidents.
- The licensee may not serve an individual that is not at least 18 years old.
- The licensee is still subject to inspections for changes in capacity and other program changes.

2. How do I apply for deemed status?

The licensee shall submit a change request application for “Accreditation Changes” in their OL Provider Portal, and include the following documentation as part of the application:

Required Documentation

A licensee shall submit the following documentation with their application:

- Proof of accreditation from the accrediting organization.
- Any inspection reports; findings; and plans of correction issued by the accrediting organization.
- Progress reports on any plan of correction required by the accrediting organization.
- Written intent to opt-in or opt-out of on-site renewal inspections conducted by the department.

3. What is the approval process for deemed status?

The approval process involves a two-step review:

Step 1. Processing and Verification

- Once the application has been received, it will be reviewed by our processing team, and an email is sent to the licensee confirming receipt of the application and noting any missing documents.
- Once documents are verified, the request is sent to the administrator for review.

Step 2. Review and Decision

- The administrator verifies eligibility for the deemed site and approves or denies the request.
- If Approved: Our processing team will add the deemed status designation to the licensee's facility, and an updated license reflecting this change will be sent to the licensee via email.
- If Denied: The licensee will receive a letter with the reason(s) for denial.

4. How do I renew the Deemed Site status?

Deemed site status expires for a site on the license expiration date. If a licensee would like to maintain the deemed site status, they must request to renew the status as well as the license. To renew the deemed site status and license, the licensee will:

- Pay the annual renewal license fee and submit a renewal request in their OL Provider Portal that includes the following documentation:
 - A written request to renew their deemed site status.
 - Proof of accreditation from the accrediting organization.
 - Any inspection reports, findings, and plans of correction issued by the accrediting organization.
 - Progress reports on any required plan of correction.
 - Written intent to opt-in or opt-out of on-site renewal inspections conducted by the department.

- Once the renewal request has been received, it will be reviewed by our processing team, and an email is sent to the licensee confirming receipt of the application and noting any missing documents.
- When all documents have been received, the administrator will verify eligibility and approve or deny the request.
- If Approved: Our processing team renew the license and deemed site status, which will be sent to the licensee via email.
- If Denied: The licensee will receive an email with the reason(s) for denial. In this situation, a licenser will complete an annual renewal inspection with the licensee and the standard renewal process will be completed.

5. Can my deemed status be revoked or relinquished?

The department shall revoke a licensee's deemed site status if:

- A compliance or incident investigation results in moderate, high, or extreme noncompliance;
- The licensee does not submit all required accreditation documentation; or
- Documentation from the accrediting organization shows findings that equate to a moderate, high, or extreme noncompliance violation in a state licensing finding.

Note: Revocation of deemed status for one site does not automatically cause revocation for a licensee's other deemed sites, unless the reason for revocation applies to the other site(s).

6. Is the data I provide for this process private?

Information provided by a licensee about their accreditation from a voluntary organization can be used by the department for licensing decisions related to deemed status. Otherwise, this information is considered private, except for summaries prepared by the department regarding licensure standards.