

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Medicare and Medicaid Services
1301 Young Street, Room 833
Dallas, Texas 75202



Division of Survey and Certification

September 9, 2011

Re: CCN # 450015

Ron J. Anderson, MD, CEO
Parkland Health and Hospital System
5201 Harry Hines Blvd.
Dallas, Texas 75235

Dear Dr. Anderson:

After a careful review of the facts, The Centers for Medicare and Medicaid Services (CMS) has determined that Parkland Health and Hospital System no longer meets the requirements for participation in the Medicare program because of deficiencies that represent an immediate and serious threat to patient health and safety. We have carefully reviewed the State agency's survey report and statement of deficiencies dated **August 31, 2011**, and we are in agreement with the enclosed findings, which show that the following Medicare Conditions of Participation were out of compliance:

- 42 CFR 482.11 Compliance with Laws**
- 42 CFR 482.12 Governing Body**
- 42 CFR 482.23 Nursing Services**
- 42 CFR 482.42 Infection Control**
- 42 CFR 482.55 Emergency Services**
- 42 CFR 489.20(l) Compliance with 42 CFR 489.24**
- 42 CFR 489.20(q) Posting of Signs**
- 42 CFR 489.20(r)(2) and 489.24(j) On Call Physicians**
- 42 CFR 489.24(a) and (c) Medical Screening Examination**
- 42 CFR 489.24(e)(1)-(2) Appropriate Transfer**

To participate as providers of services in the Medicare program, hospitals must meet all provisions of Section 1861(e) and 1866 of the Social Security Act, be in compliance with each of the Conditions of Participation, and be free of hazard to patient health and safety.

The date on which your hospital's Medicare agreement terminates is **September 30, 2011**. No payment for patients admitted on or after that date will be made by the Medicare program. For patients admitted prior to **September 30, 2011**, payment may continue to be made for up to 30 days of covered inpatient hospital services furnished on and after **September 30, 2011**. A list showing the names and health insurance claim numbers of the Medicare patients remaining in your hospital on **September 30, 2011**, should be forwarded immediately to the Centers for Medicare & Medicaid Services, Division of Survey and Certification, Attention: Ginger Odle, 1301 Young Street, Room 833, Dallas, TX. 75202.

We will publish notice of this termination in the The Dallas Morning News. Because the requirements for participation in the Medicaid program are substantially the same as those for Medicare, we have notified the appropriate State officials concerning termination of your provider agreement under Title XVIII.

If you believe this determination is not correct, you may request a hearing before an Administrative Law Judge of the Departmental Appeals Board. Procedures governing this process are set out in regulations at 42 CFR 498.40 et seq. A written request for a hearing must be filed no later than 60 days from the date of receipt of this letter to:

Departmental Appeals Board
Attention: Civil Remedies Division
Cohen Building, Room G-644, MS 6132
330 Independence Avenue S.W.
Washington, D.C. 20201

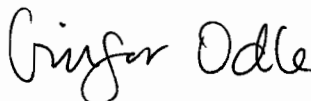
In addition, send a copy of your request to this office.

A request for a hearing should identify the specific issues, and the findings of fact and conclusions of law with which you disagree. It should also specify the basis for contending that the findings and conclusions are incorrect. You may be represented by counsel at a hearing at your own expense.

Under the Medicare regulation 42 CFR 489.57, when a provider agreement is terminated by CMS, a new agreement will not be accepted until it has been determined that the reason for termination of the previous agreement has been removed and there is reasonable assurance that it will not recur. The terminated facility will have to operate for a period of time determined by CMS, during which the reasonable assurance requirement has been satisfied. During this period the facility must fulfill, or make satisfactory arrangements to fulfill, all of the statutory and regulatory responsibilities of the previous agreement.

If you have any questions, please contact me at 214-767-2091 or by e-mail at ginger.odle@cms.hhs.gov or Juanita Cortez at 214-767-4403 or by e-mail at juanita.cortez@cms.hhs.gov.

Sincerely,



Ginger Odle, Manager
Non-Long Term Care Certification and Enforcement Branch

Enclosure

cc: Texas Department of State Health Services
Accrediting Organization