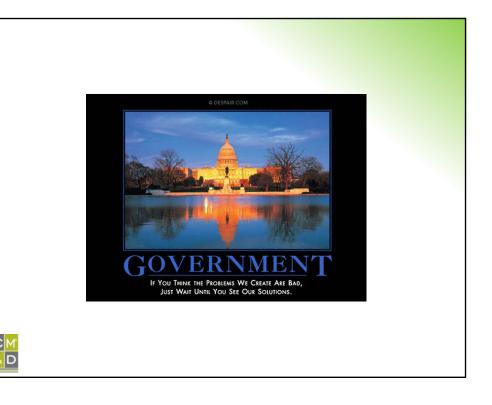
Understanding the Unique
Considerations, Special Regulations
(and Potential Pitfalls), and
Resources Available in Lending or
Developing A Health Care Facility

Nancy Shellhorse Carls, McDonald & Dalrymple, LLP (512) 623-5434 nshellhorse@cmcdlaw.com





Considerations for Lenders

- Long-term care facility disclosure requirements
- Medicaid beds
- Quality care issues
- Fraud and abuse



Why You Should Care

- Nursing Homes
 - -1,224
 - 95,000 residents
 - Medicare and Medicaid
- Assisted Living Facilities
 - -1,771
 - -40,000
 - Private Pay



Disclosure Requirements

- Government wants to know who owns <u>and</u> controls health care providers
 - Prevent bad providers and "controlling parties" from obtaining licenses
 - Assessment of penalties No "corporate veil"



Disclosure Requirements

- Ownership of applicant
- Controlling persons/entities of applicant
- Management company and its owners/controlling parties
- Real Estate information
- Financial information
- Ownership/operations of facilities outside Texas and their compliance histories
- Criminal history checks and fingerprints of applicant's owners.







Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

Title search: Understanding the Unique Considerations, Special Regulations (and Potential Pitfalls), and Resources Available in Lending or Developing a Health Care Facility

Also available as part of the eCourse Construction and Facilities Lending

First appeared as part of the conference materials for the 49^{th} Annual William W. Gibson, Jr. Mortgage Lending Institute session "Health Care Facilities Lending"