

CHANGE OF OWNERSHIP GUIDELINES

STATE CERTIFIED HOSPICE AGENCY

A **Change of Ownership (CHOW)** typically occurs when an agency has been purchased (or leased) by another organization. For licensure purposes, a sale or stock that changes the controlling interest (50.1%) is considered a change of ownership.

Missouri state hospice certification guidelines: 19 CSR 30-35.030(3) Change of Ownership.

The hospice certification shall not be transferable or assignable. If during the period in which a certificate is in effect, an operator which is a partnership, limited partnership, or corporation undergoes any of the following changes, whether by one or by more than one action, the operator shall apply for a new approved certificate not less than 30 days before any change:

- (A) With respect to a limited partnership, a change in the majority interest of general partners;
- (B) With respect to a limited partnership, a change in the general partner or in the majority interest of limited partners; or
- (C) With respect to a for-profit corporation, a change in the persons who own, hold or have the power to vote the majority of any class of stocks issued by the corporation.

When requesting a change of ownership of a state certified hospice, the new ownership must submit the following information to:

Missouri Department of Health and Senior Services
Bureau of Home Care and Rehabilitative Standards
P.O. Box 570
Jefferson City, MO 65102

The change of ownership request will not be processed until all of these items are received:

1. Letter of Intent explaining the nature of the sale, transfer, or significant change in corporate status. Indicate whether or not you will be accepting assignment of the Medicare assets and liabilities of the seller/former owner.
2. Application for Hospice Certification
3. \$500 licensure fee made payable to the Missouri Department of Health and Senior Services (non-refundable)
4. State Disclosure of Ownership and Control Interest Statement – 2 copies
5. Proof of current registration with the Missouri Secretary of State. In addition, if the agency is using a "doing business as" (d/b/a) name, you will need to provide proof of the fictitious filing. For any questions regarding the registration process or fictitious filing, contact the Secretary of State office at 573- 751-4153. All forms received by the Bureau must list the legal entity name and the d/b/a, if applicable.
6. Pre and Post Organizational Chart.

IMPORTANT POINTS TO REMEMBER:

- **As soon as the transaction is complete, please submit proof of the completed transaction to this Bureau as evidenced by a bill of sale, stock purchase agreement, or assignment and assumption agreement.**
- **The NEW license must be issued on the effective date of the CHOW in order for the provider to continue to be a legally operating the agency. The new license begins on the first day of business under the new ownership.**
- Patients are not assets. They must be notified prior to the CHOW and provided with a choice of provider for their home health services. Documentation of notification of the patient and the patient's choice of provider must be documented in the clinical record.
- All paperwork for the agency, including clinical record notes, must reflect the new agency name when a change of name occurs as a result of a CHOW. This must occur on the effective date of the CHOW.
- This Bureau has the option to conduct an unannounced, on-site survey as a result of a change of ownership.

Additional information regarding Medicare certification, state certification and current hospice issues is available on our website at <https://health.mo.gov/safety/hospice>. After a change of ownership, the provider must remain in compliance with all requirements for state certification.

All requirements and forms are available on our website at <https://health.mo.gov/safety/homecare/chow-hospicelicensure.php>. Please contact David.Atkinson@health.mo.gov, Bureau of Home Care and Rehabilitative Standards at (573) 526-5587 with any questions.