§ 4712. Shared health facilities; rules and regulations. 1. The department shall have the authority to promulgate rules and regulations relative to the quality of care provided by shared health facilities, and to otherwise effectuate the provisions of this article.

2. (a) Subject to the provisions of paragraphs (b) and (c) of this subdivision and after such hearing the department may suspend or revoke the registration of a shared health facility for failure to comply with any provision of this article applicable to such facility, or for failure to comply with the rules or regulations of the department pertaining thereto, or for fraudulent practices on the part of any of the providers or purveyors therein.

(b) No registration shall be revoked, suspended, limited or annulled without a hearing. However, a registration may be temporarily suspended or limited without a hearing for a period not in excess of thirty days upon written notice to the shared health facility following a finding by the department that the public health or safety is in imminent danger.

(c) The commissioner shall fix a time and a place for the hearing. A copy of the charges, together with the notice of the time and place of the hearing shall be served in person or mailed by certified mail to such facility at least twenty-one days before the date fixed for the hearing. The shared health facility shall file with the department not less than eight days prior to the hearing, a written answer to the charges.

(d) All orders or determinations hereunder shall be subject to review as provided in article seventy-eight of the civil practice law and rules. Application for such review must be made within sixty days after service in person or by certified mail of a copy of the order or determination upon the applicant.

3. Any provider or purveyor who violates any provision of this article, or of the rules and regulations promulgated pursuant thereto, may, subject to the findings of a hearing or review which he may request of the department, be barred from collecting any payments under the program from the date such violation occurs.