

<b>Chart 1 Estimates on Compliance With the 75 Percent Rule (2002 Data)</b>					
		<b>45% Rule</b>	<b>55% Rule</b>	<b>65% Rule</b>	<b>75% Rule</b>
<b>Hospital Characteristic</b>	<b>Total Number</b>	<b>Percent</b>	<b>Percent</b>	<b>Percent</b>	<b>Percent</b>
9. Pacific	121	95.9	86.8	71.1	48.8
<b>Unit/Freestanding Facility</b>					
Unit	95456	72.7	47.6	28.3	15.4
Freestanding	214	68.7	28.5	11.2	4.7
<b>Teaching Status</b>					
Teaching	145	71.7	46.2	32.4	18.6
Non-Teaching	845	73.5	43.6	24.6	13.1
Missing	180	65	45	22.2	10.6
<b>Disproportionate Share Hospital (DSH)</b>					
< 0.05	226	67.3	40.7	21.7	10.2
0.05 - 0.1	339	66.1	39.2	21.8	10.9
0.1 - 0.2	313	76	41.9	23.3	13.7
> = 0.2	145	88.3	64.1	43.4	24.1
Missing	147	68	45.6	24.5	12.9
<b>Facility Control</b>					
Voluntary	700	73.4	47.9	28.4	15.3
Proprietary	259	69.1	30.9	12.7	5
Government	135	77.8	48.9	30.4	18.5
Missing	76	57.9	46.1	28.9	15.8
<b>Size</b>					
Small	309	70.2	49.2	28.2	17.2
Medium	502	74.8	44.2	25.8	12.5
Large	201	70.9	35.2	19.6	9.5
Missing	158	67.7	44.9	24.7	13.9
<b>Urban/Rural</b>					
Large Urban	493	71.6	46.7	29.6	15
Other Urban	404	73.8	42.1	22	12.4
Rural	170	74.1	40.6	19.4	10
Missing	103	63.1	45.6	26.2	15.5

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While our estimate of compliance with the 75 percent rule is somewhat limited by the data available, we do believe it clearly demonstrates low

compliance of the 75 percent rule by IRFs. Though IRFs are now paid under a PPS, the 75 percent rule still serves the relevant function of distinguishing IRFs from other types of inpatient

facilities, thus facilitating compliance with sections 1886(d)(1)(B) and 1886(d)(1)(B)(ii) of the Act. Making this distinction is also critical to fulfilling the requirements of section