**Section 295.1040 Technical Infractions**

a) A technical infraction is a situation in which the establishment's failure to meet a requirement of this Part does not result in harm and does not have a significant negative impact on the delivery of services to residents. A technical infraction may include a Type 3 violation that is identified and corrected during the on-site survey review process.

b) The establishment shall be required to correct a technical infraction. If the establishment has taken steps to correct the technical infraction, no fine, violation, or sanction shall be imposed.

c) Repeat of the same technical infraction during subsequent on-site surveys may result in a Type 3 violation.