

U.S. House and Senate Notification

Thursday, March 17, 2011

To: Congressional Health Staff

From: Amy Hall, Director

Office of Legislation

Centers for Medicare & Medicaid Services

Re: CMS Posts Final Rule on Civil Money Penalties for Nursing Homes

Today, the Centers for Medicare & Medicaid Services (CMS) put on display at the *Federal Register* the final rule “Medicare and Medicaid Programs; Civil Money Penalties for Nursing Homes” (CMS-2435-F) to revise and expand current Medicare and Medicaid regulations regarding the imposition and collection of civil money penalties (CMPs) by CMS. This rule implements new Federal nursing home requirements in accordance with Section 6111 of the Affordable Care Act of 2010.

Section 6111 amends sections 1819(h) and 1919(h) of the Social Security Act to incorporate specific provisions pertaining to the imposition and collection of CMPs when nursing homes do not meet Medicare and Medicaid program participation requirements. These new provisions are intended to improve the efficiency and effectiveness of the nursing home enforcement process, particularly as it relates to CMPs imposed by CMS.

The final rule will be published tomorrow, March 18, 2011. The display copy of the regulation is available at http://www.ofr.gov/OFRUpload/OFRData/2011-06144_PI.pdf. The display copy link is only available until the regulation is published tomorrow. Once published, the final rule must be accessed via the General Printing Office’s website at http://www.access.gpo.gov/su_docs/fedreg/frcont11.html

Please contact the CMS Office of Legislation with any questions at (202) 690-8220.