

CMS EXPECTED TO POSTPONE COMPLIANCE PROGRAM ENFORCEMENT

The Centers for Medicare & Medicaid Services (CMS) has unofficially announced it will not be enforcing the upcoming **March 23rd compliance program requirements** until final regulations are published. As required under the Affordable Care Act, nursing facilities are required to have a compliance program in place by March 23, 2013. Despite ambiguity in the actual statute, which states a facility must have a compliance program in place "on or after" March 23rd, this is widely accepted in the industry as the date for the requirement to be effective.

CMS was required to have final regulations concerning the compliance program requirement, as well as sample programs and other tools for providers, in place as of March 2012. However, CMS has not published any such tools or regulations. While we expect an official CMS announcement soon, unofficially CMS states they will not enforce the compliance program requirements until final regulations are published. This will effectively push the deadline out to the second half of this year or early 2014.

Should you have any questions, please contact:

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