



**American Hospital
Association®**

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June 1, 2017

Seema Verma
Administrator
Centers for Medicare & Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, S.W., Room 445-G
Washington, DC 20201

RE: CMS-3819-P2; Medicare and Medicaid Program: Conditions of Participation for Home Health Agencies; Delay of Effective Date (Vol. 82, No. 62); April 3, 2017

Dear Ms. Verma:

On behalf of our nearly 5,000 member hospitals, health systems and other health care organizations, and our clinician partners – including more than 270,000 affiliated physicians, 2 million nurses and other caregivers – and the 43,000 health care leaders who belong to our professional membership groups, the American Hospital Association (AHA) **thinks you and supports your proposal to delay until January 13, 2018 the effective date of the final rule updating the home health agency (HHA) Conditions of Participation (CoPs)**. The current effective date is July 13. For the reasons detailed in the attached letter, we agree that HHAs should have additional time to come into compliance with the new requirements.

We appreciate the agency's responsiveness to the concerns raised by the AHA and other stakeholders. Further, we welcome the opportunity to work with you to help ensure that Medicare-certified providers can successfully implement standards reflecting the best and most recent knowledge about care delivery and embodying high expectations for quality of care. Please contact me if you have questions or feel free to have a member of your team contact Evelyn Knolle, senior associate director of policy, at eknolle@aha.org.

Sincerely,

//s//

Ashley Thompson
Senior Vice President
Public Policy Analysis and Development

Enclosure





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March 8, 2017

Patrick Conway, M.D.
Acting Administrator
Centers for Medicare & Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, S.W., Room 445-G
Washington, DC 20201

RE: CMS-3819-F; Medicare and Medicaid Program: Conditions of Participation for Home Health Agencies; Final Rule (Vol. 82, No. 9); January 13, 2017

Dear Dr. Conway:

On behalf of our nearly 5,000 member hospitals, health systems and other health care organizations, and our clinician partners – including more than 270,000 affiliated physicians, 2 million nurses and other caregivers – and the 43,000 health care leaders who belong to our professional membership groups, the American Hospital Association (AHA) requests additional time for home health agencies (HHAs) to come into compliance with the regulatory changes to the HHA Conditions of Participation (CoPs) published Jan. 13 in the *Federal Register*. The final rule states that its effective date is July 13. **We urge you to give HHAs a full year from the date of the final rule to comply with all of the changes.**

The AHA supported the proposed rule to update the HHA CoPs, and we applaud the Centers for Medicare & Medicaid Services (CMS) for continuing to update standards for health care providers to ensure that regulations reflect the best and most recent knowledge about care delivery. However, the changes are substantial, and we are disappointed that CMS did not provide a longer timetable for implementing the requirements. We have concerns about the cumulative effect of this and other recently issued regulations, including new AHA-supported emergency preparedness standards that must be implemented by Nov. 15. It will be challenging for HHAs, especially smaller organizations, to meet so many new regulations with overlapping timeframes.



Patrick Conway, M.D.

March 8, 2017

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We understand that the HHA CoP rule may be reviewed as a result of recent memorandums issued by the White House and the Office of Management and Budget (OMB). An OMB memo specifically directs agencies to delay by 60 days the effective dates of rules finalized under the previous administration that had been published in the *Federal Register* but have not yet taken effect. We urge CMS to work with stakeholders during this time to establish a more realistic timeframe for implementation of the HHA CoP rule. If CMS is unable to provide a year for implementation, we urge the agency to consider a staggered implementation timetable. For example, CMS could require that some regulations be implemented in July, while more complex standards that necessitate more planning be implemented by January.

Thank you for your consideration. Please contact me if you have questions or feel free to have a member of your team contact Evelyn Knolle, senior associate director of policy, at eknolle@aha.org.

Sincerely,

//s//

Ashley Thompson
Senior Vice President
Public Policy Analysis and Development