November 9, 2015

Q: I am aware that the date for submission of comments to the new/proposed federal LTC rule changes has passed. How soon will the rules become effective? How will we know what the new rules are?

A: The final date for submission of comments to the proposed CMS Requirements of Participation (RoPs) was October 14, 2015. CMS received over 9000+ comments to their proposed changes. CMS is now required to go through each of the comments and determine what modifications/changes/additions/deletions are necessary. The federal rulemaking requirements state that CMS has three years from the date of rule proposal publication to adopt final rules. It will take CMS considerable time to go through all of the comments and decide upon a final product. After CMS publishes a final rulemaking in the Federal Register, they will then have to make the necessary changes to the CMS State Operations Manual (SOM). There are also significant costs to these new rules and CMS will have to explain how they will be funded and implemented, hopefully over an extended time period. IHCA will keep our members fully informed throughout this process and make copies and other relevant information available through our various publications, meetings, conferences and webinars. Do not hesitate to contact us if you have any questions or hear any rumors concerning this extensive rulemaking effort.