

Centers for Medicare and Medication Services (CMS) Delays Implementation of Phase Three Requirements for Long Term Care Facilities

AUTHOR: MICHAEL RUDD

On Tuesday July 16, 2019 the Centers for Medicare and Medication Services (CMS) announced its proposal to delay implementation of certain portions of its third phase of requirements for long term care facilities. These regulations are part of a three phase initiative by the administration designed to place "Patients Over Paperwork." The first two phases went into effect in November 2016 and 2017. The third phase is set to be implemented on November 28, 2019.

The administration has proposed the delay of certain portions of phase three to ease administration costs for long term care providers. The administration estimates these costs to be \$616 million a year. The regulations contained in the third phase primarily deal with (1) designation and training of infection preventionists, (2) Quality Assurance and Performance Improvement (QAPI), and (3) compliance and ethics programs. A complete list of regulations affected by the third phase implementation can be found [here](#).

The administration is proposing a one year delay of implementation of all third phase requirements except for the requirements related to the participation of infection preventionists on the quality assessment and assurance committee. The administration explained the "infection preventionist's required training and role remain unchanged, and we therefore believe this requirement can be implemented as scheduled."

The proposed delay will prevent the relevant portions of phase three from becoming effective until November 28, 2020. In the meantime, the administration is collecting comments on the proposed rule changes until September 16, 2019.