



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, WA 98504-5600

April 12, 2017

AL TSA: NH #2017-010
S&C: 17-23-NH/HHA/CLIA NOTICE OF FINAL RULE
ADJUSTING CIVIL MONETARY PENALTIES (CMPS) FOR INFLATION

Dear Nursing Facility/Home Administrator:

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the 2015 Act) (Sec. 701 of the Bipartisan Budget Act of 2015, Pub. L. 114-74). The 2015 Act amends the Federal Civil Penalties Inflation Adjustment Act of 1990 (the Inflation Adjustment Act) (Pub. L 101-410) which was enacted to improve the effectiveness of federal CMPs and to maintain their deterrent effect. Prior to 2015, CMPs authorized under the Social Security Act were exempt from inflation adjustments under the law.

Adjustment of Civil Monetary Penalties for Inflation: The Department of Health and Human Services (HHS) has published in the Federal Register on February 3, 2017, a final rule which adjusts for inflation CMP amounts authorized under the Social Security Act. The final rule lists the new CMP amounts and ranges and are effective on February 3, 2017. The CMPs under the authority of HHS affects multiple areas, but we are highlighting only on those CMPs assessed for Skilled Nursing facilities (SNFs), Nursing Facilities (NFs), SNFs/NFs, Home Health Agencies (HHAs), and Clinical laboratories effective February 3, 2017

Additional information and the S&C memo can be found at:

<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-17-23.pdf>

Thank you for your continued commitment to the health and safety of nursing home residents. If you have any questions, please contact your local RCS Field Manager.

Sincerely,

Candace Goehring, Director
Residential Care Services

"Transforming Lives"