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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS-3469-PN]

Medicare and Medicaid Programs: Application From The Joint Commission for Continued Approval of its Hospice Accreditation Program

AGENCY: Centers for Medicare &
Medicaid Services (CMS), HHS.

ACTION: Notice with request for
comment.

SUMMARY: This proposed notice
acknowledges the receipt of an
application from The Joint Commission
for continued recognition as a national
accrediting organization for hospices
that wish to participate in the Medicare
or Medicaid programs.

DATES: To be assured consideration,
comments must be received at one of
the addresses provided below, no later
than 5 p.m. on February 12, 2025.

ADDRESSES: In commenting, refer to file
code CMS-3469-PN.

Comments, including mass comment
submissions, must be submitted in one
of the following three ways (please
choose only one of the ways listed):

1. *Electronically.* You may submit
electronic comments on this regulation
to <http://www.regulations.gov>. Follow
the “Submit a comment” instructions.

2. *By regular mail.* You may mail
written comments to the following
address ONLY:

Centers for Medicare & Medicaid
Services, Department of Health and
Human Services, Attention: CMS-3469-
PN, P.O. Box 8010, Baltimore, MD
21244-8010.

Please allow sufficient time for mailed
comments to be received before the
close of the comment period.

3. *By express or overnight mail.* You
may send written comments to the
following address ONLY:

Centers for Medicare & Medicaid
Services, Department of Health and
Human Services, Attention: CMS-3469-
PN, Mail Stop C4-26-05, 7500 Security
Boulevard, Baltimore, MD 21244-1850.

FOR FURTHER INFORMATION CONTACT:
Lillian Williams, (410) 786-8636 or
Melissa Rice, (410) 786-3270.

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All
comments received before the close of
the comment period are available for
viewing by the public, including any
personally identifiable or confidential
business information that is included in
a comment. We post all comments
received before the close of the
comment period on the following
website as soon as possible after they
have been received: [http://
www.regulations.gov](http://www.regulations.gov). Follow the search
instructions on that website to view
public comments. CMS will not post on
Regulations.gov public comments that
make threats to individuals or
institutions or suggest that the
commenter will take actions to harm an
individual. CMS continues to encourage
individuals not to submit duplicative
comments. We will post acceptable
comments from multiple unique
commenters even if the content is
identical or nearly identical to other
comments.

I. Background

Under the Medicare program, eligible
beneficiaries may receive covered
services in a hospice, provided that
certain requirements are met by the
hospice. Section 1861(dd) of the Social
Security Act (the Act) establishes
distinct criteria for facilities seeking
designation as a hospice. Regulations
concerning provider agreements are at
42 CFR part 489 and those pertaining to
activities relating to the survey and
certification of facilities are at 42 CFR
part 488. The regulations at 42 CFR part
418 specify the conditions that a
hospice must meet in order to
participate in the Medicare program, the
scope of covered services and the
conditions for Medicare payment for
hospice services.

Generally, to enter into an agreement,
a hospice must first be certified by a
state survey agency (SA) as complying
with the conditions or requirements set
forth in part 418. Thereafter, the hospice
is subject to regular surveys by a SA to
determine whether it continues to meet
these requirements.

However, section 1865(a)(1) of the Act
provides that, if a provider entity
demonstrates through accreditation by a
Centers for Medicare & Medicaid
Services (CMS) approved national
Accrediting Organization (AO) that all
applicable Medicare conditions are met
or exceeded, we will deem those
provider entities as having met the
requirements. Accreditation by an AO is
voluntary and is not required for
Medicare participation.

If an AO is recognized by the
Secretary of the Department of Health

and Human Services (the Secretary) as
having standards for accreditation that
meet or exceed Medicare requirements,
any provider entity accredited by the
national accrediting body’s approved
program would be deemed to meet the
Medicare conditions. A national AO
applying for approval of its
accreditation program under part 488,
subpart A, must provide CMS with
reasonable assurance that the AO
requires the accredited provider entities
to meet requirements that are at least as
stringent as the Medicare conditions.
Our regulations concerning the approval
of AOs are set forth at §§ 488.4 and
488.5. The regulations at § 488.5(e)(2)(i)
require AOs to reapply for continued
approval of its accreditation program
every 6 years or sooner as determined
by CMS.

The Joint Commission’s (TJC’s)
current term of approval for their
hospice accreditation program expires
June 18, 2025.

II. Approval of Deeming Organizations

Section 1865(a)(2) of the Act and our
regulations at § 488.5 require that our
findings concerning review and
approval of a national AO’s
requirements consider, among other
factors, the applying AO’s requirements
for accreditation; survey procedures;
resources for conducting required
surveys; capacity to furnish information
for use in enforcement activities;
monitoring procedures for provider
entities found not in compliance with
the conditions or requirements; and
ability to provide CMS with the
necessary data for validation.

Section 1865(a)(3)(A) of the Act
further requires that we publish, within
60 days of receipt of an organization’s
complete application, a notice
identifying the national accrediting
body making the request, describing the
nature of the request, and providing at
least a 30-day public comment period.
We have 210 days from the receipt of a
complete application to publish notice
of approval or denial of the application.

The purpose of this proposed notice
is to inform the public of TJC’s request
for continued approval of its hospice
accreditation program. This notice also
solicits public comment on whether
TJC’s requirements meet or exceed the
Medicare conditions of participation
(CoPs) for hospices.

III. Evaluation of Deeming Authority Request

TJC submitted all the necessary
materials to enable us to make a
determination concerning its request for
continued approval of its hospice
accreditation program. This application

was determined to be complete on November 20, 2024. Under section 1865(a)(2) of the Act and our regulations at § 488.5 (Application and re-application procedures for national AOs), our review and evaluation of TJC will be conducted in accordance with, but not necessarily limited to, the following factors:

- The equivalency of TJC's standards for hospices as compared with CMS' hospice CoPs.

- TJC's survey process to determine the following:

- ++ The composition of the survey team, surveyor qualifications, and the ability of the organization to provide continuing surveyor training.

- ++ The comparability of TJC's processes to those of state agencies, including survey frequency, and the ability to investigate and respond appropriately to complaints against accredited facilities.

- ++ TJC's processes and procedures for monitoring hospices which are found out of compliance with TJC's program requirements. These monitoring procedures are used only when TJC identifies noncompliance. If noncompliance is identified through validation reviews or complaint surveys, the SA monitors corrections as specified at § 488.9.

- ++ TJC's capacity to report deficiencies to the surveyed facilities and respond to the facility's plan of correction in a timely manner.

- ++ TJC's capacity to provide CMS with electronic data and reports necessary for effective validation and assessment of the organization's survey process.

- ++ The adequacy of TJC's staff and other resources, and its financial viability.

- ++ TJC's capacity to adequately fund required surveys.

- ++ TJC's policies with respect to whether surveys are announced or unannounced, to ensure that surveys are unannounced.

- ++ TJC's policies and procedures to avoid conflicts of interest, including the appearance of conflicts of interest, involving individuals who conduct surveys or participate in accreditation decisions.

- ++ TJC's agreement to provide CMS with a copy of the most current accreditation survey, together with any other information related to the survey as we may require (including corrective action plans).

IV. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Response to Comments

Because of the large number of public comments we normally receive on **Federal Register** documents, we are not able to acknowledge or respond to them individually. We will consider all comments we receive by the date and time specified in the **DATES** section of this preamble, and, when we proceed with a subsequent document, we will respond to the comments in the preamble to that document.

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Chiquita Brooks-LaSure, having reviewed and approved this document, authorizes Vanessa Garcia, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2025-00448 Filed 1-10-25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for Office of Management and Budget Review; Administration for Native Americans Project Outcome Assessment Survey (Office of Management and Budget #: 0970-0379)

AGENCY: Administration for Native Americans, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) is requesting a 3-year extension of the Administration for Native Americans Project Outcome Assessment Survey (OMB #: 0970-0379, expiration 6/30/2025). The survey was revised based on

a review by the Administration for Native Americans (ANA) and feedback from grantees, which identified some data elements that could be eliminated and areas that could be clarified.

DATES: *Comments due February 12, 2025.* OMB must make a decision about the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function. You can also obtain copies of the proposed collection of information by emailing infocollection@acf.hhs.gov. Identify all emailed requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The information collected by the Project Outcome Assessment Survey is needed for two main reasons—(1) to collect crucial information required to report on ANA's established Government Performance and Results Act (GPRA) measures and (2) to properly abide by ANA's congressionally mandated statute (42 U.S.C. 2991 *et seq.*) found within the Native American Programs Act of 1974, as amended, which states that ANA will evaluate projects assisted through ANA grant dollars "including evaluations that describe and measure the impact of such projects, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services." The survey information is requested once at the end of a project grant period. The information collected with this survey will fulfill ANA's statutory requirement and will also serve as an important planning and performance tool for ANA.

There are minor revisions proposed to the survey to align with ANA's current requirements of grant recipients and eliminate duplicative data elements.

Respondents: Tribal Governments, Native American nonprofit organizations, and Tribal Colleges and Universities.