

512.170 Limitations on review.

There is no administrative or judicial review under sections 1869 or 1878 of the Act or otherwise for all of the following:

- (a) The selection of models for testing or expansion under section 1115A of the Act.
- (b) The selection of organizations, sites, or participants, including model participants, to test the Innovation Center models selected, including a decision by CMS to remove a model participant or to require a model participant to remove a downstream participant from the Innovation Center model.
- (c) The elements, parameters, scope, and duration of such Innovation Center models for testing or dissemination, including without limitation the following:
 - (1) The selection of quality performance standards for the Innovation Center model by CMS.
 - (2) The methodology used by CMS to assess the quality of care furnished by the model participant.
 - (3) The methodology used by CMS to attribute model beneficiaries to the model participant, if applicable.
- (d) Determinations regarding budget neutrality under section 1115A(b)(3) of the Act.
- (e) The termination or modification of the design and implementation of an Innovation Center model under section 1115A(b)(3)(B) of the Act.
- (f) Determinations about expansion of the duration and scope of an Innovation Center model under section 1115A(c) of the Act, including the determination that an Innovation Center model is not expected to meet criteria described in paragraph (a) or (b) of such section.