

40.3.3 - Withdrawal of Approval

(Rev. 117, Issued: 08-08-14, Effective: 08-08-14, Implementation: 08-08-14)

42 CFR §422.157(d)(4)

If an equivalency review, validation review, onsite observation, or CMS' daily experience with the AO suggests that the AO is not meeting the requirements specified in 42 CFR §422, Subpart D, CMS will give the AO written notice of its intent to withdraw approval.

CMS may withdraw an AO's approval for deeming authority at any time, if CMS determines that:

- Deeming based on accreditation no longer guarantees that the MAO meets the requirements, and failure to meet those requirements could jeopardize the health or safety of Medicare enrollees and constitutes a significant hazard to the public health; or
- The AO has failed to meet the obligations specified in sections 40 and 40.4 of this chapter.