

40.3 - CMS's Role in Deeming

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42 CFR §422.157(a)(d)

CMS has many different roles in the deeming program. For example, CMS approves the applications of the organizations that are applying for the authority to deem. CMS may approve the organization for deeming authority if it demonstrates that its accreditation program is at least as stringent as CMS' and it meets the application requirements described in section 40.4.1 of this chapter. CMS must approve an AO by deeming area, rather than by individual requirement. However, an AO must have a comparable standard for every one of the MAO requirements within a deeming area.

As mentioned above, CMS conducts validation surveys and other audits to ensure compliance with Medicare program requirements. CMS also conducts monitoring of non-deemable requirements. If, during the course of monitoring for non-deemable requirements, CMS staff determines that an MAO is not in compliance with a requirement for which it has been deemed, it will notify the AO of the failure; to ensure the AO initiates a corrective action process, when and if appropriate. CMS will not issue the corrective action requirement for deficiencies found in deemed areas.