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## Part II

### Department of Health and Human Services

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Centers for Medicare & Medicaid Services

42 CFR Parts 403, 416, 418, et al.

Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers; Final Rule

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Centers for Medicare & Medicaid Services**

**42 CFR Parts 403, 416, 418, 441, 460, 482, 483, 484, 485, 486, 491, and 494**

[CMS–3178–F]

RIN 0938–AO91

**Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers**

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

**ACTION:** Final rule.

**SUMMARY:** This final rule establishes national emergency preparedness requirements for Medicare- and Medicaid-participating providers and suppliers to plan adequately for both natural and man-made disasters, and coordinate with federal, state, tribal, regional, and local emergency preparedness systems. It will also assist providers and suppliers to adequately prepare to meet the needs of patients, residents, clients, and participants during disasters and emergency situations. Despite some variations, our regulations will provide consistent emergency preparedness requirements, enhance patient safety during emergencies for persons served by Medicare- and Medicaid-participating facilities, and establish a more coordinated and defined response to natural and man-made disasters.

**DATES:** *Effective date:* These regulations are effective on November 15, 2016.

*Incorporation by reference:* The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register November 15, 2016.

*Implementation date:* These regulations must be implemented by November 15, 2017.

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**SUPPLEMENTARY INFORMATION:**

**Acronyms**

AAAHC Accreditation Association for Ambulatory Health Care, Inc.  
AAAASF American Association for Accreditation for Ambulatory Surgery Facilities, Inc.

AAR/IP After Action Report/Improvement Plan  
ACHC Accreditation Commission for Health Care, Inc.  
ACHE American College of Healthcare Executives  
AHA American Hospital Association  
AO Accrediting Organization  
AOA/HFAP American Osteopathic Association/Healthcare Facilities Accreditation Program  
ASC Ambulatory Surgical Center  
ARCAH Accreditation Requirements for Critical Access Hospitals  
ASPR Assistant Secretary for Preparedness and Response  
BLS Bureau of Labor Statistics  
BTCDP Bioterrorism Training and Curriculum Development Program  
CAH Critical Access Hospital  
CAMCAH Comprehensive Accreditation Manual for Critical Access Hospitals  
CAMH Comprehensive Accreditation Manual for Hospitals  
CASPER Certification and the Survey Provider Enhanced Reporting  
CDC Centers for Disease Control and Prevention  
CON Certificate of Need  
CFCs Conditions for Coverage and Conditions for Certification  
CHAP Community Health Accreditation Program  
CMHC Community Mental Health Center  
CMS Centers for Medicare and Medicaid Services  
COI Collection of Information  
CoPs Conditions of Participation  
CORF Comprehensive Outpatient Rehabilitation Facilities  
CPHP Centers for Public Health Preparedness  
CRI Cities Readiness Initiative  
DHS Department of Homeland Security  
DHHS Department of Health and Human Services  
DNV GL Det Norske Veritas GL—Healthcare  
DOL Department of Labor  
DPU Distinct Part Units  
DSA Donation Service Area  
EOP Emergency Operations Plans  
EC Environment of Care  
EMP Emergency Management Plan  
EP Emergency Preparedness  
ESAR–VHP Emergency System for Advance Registration of Volunteer Health Professionals  
ESF Emergency Support Function  
ESRD End-Stage Renal Disease  
FEMA Federal Emergency Management Agency  
FDA Food and Drug Administration  
FORHP Federal Office of Rural Health Policy  
FRI Federal Reserve Inventories  
FQHC Federally Qualified Health Center  
GAO Government Accountability Office  
HFAP Healthcare Facilities Accreditation Program  
HHA Home Health Agencies  
HPP Hospital Preparedness Program  
HRSA Health Resources and Services Administration  
HSC Homeland Security Council  
HSEEP Homeland Security Exercise and Evaluation Program

HSPD Homeland Security Presidential Directive  
HVA Hazard Vulnerability Analysis or Assessment  
ICFs/IID Intermediate Care Facilities for Individuals with Intellectual Disabilities  
ICR Information Collection Requirements  
IDG Interdisciplinary Group  
IOM Institute of Medicine  
JPATS Joint Patient Assessment and Tracking System  
LEP Limited English Proficiency  
LD Leadership  
LPHA Local Public Health Agencies  
LSC Life Safety Code  
LTC Long Term Care  
MMRS Metropolitan Medical Response System  
MRC Medical Reserve Corps  
MS Medical Staff  
NDMS National Disaster Medical System  
NFs Nursing Facilities  
NFFA National Fire Protection Association  
NIMS National Incident Management System  
NIOSH National Institute for Occupational Safety and Health  
NLTN National Laboratory Training Network  
NRP National Response Plan  
NRF National Response Framework  
NSS National Security Staff  
OBRA Omnibus Budget Reconciliation Act  
OIG Office of the Inspector General  
OPHPR Office of Public Health Preparedness and Response  
OPO Organ Procurement Organization  
OPT Outpatient Physical Therapy  
OPTN Organ Procurement and Transplantation Network  
OSHA Occupational Safety and Health Administration  
PACE Program for the All-Inclusive Care for the Elderly  
PAHPA Pandemic and All-Hazards Preparedness Act  
PAHPRA Pandemic and All-Hazards Preparedness Reauthorization Act  
PCT Patient Care Technician  
PPE Personal Protection Equipment  
PHEP Public Health Emergency Preparedness  
PHS Act Public Health Service Act  
PIN Policy Information Notice  
PPD Presidential Policy Directive  
PRTF Psychiatric Residential Treatment Facilities  
QAPI Quality Assessment and Performance Improvement  
QIES Quality Improvement and Evaluation System  
RFA Regulatory Flexibility Act  
RNHCIs Religious Nonmedical Health Care Institutions  
RHC Rural Health Clinic  
SAMHSA Substance Abuse and Mental Health Services Administration  
SLP Speech Language Pathology  
SNF Skilled Nursing Facility  
SNS Strategic National Stockpile  
TEFRA Tax Equity and Fiscal Responsibility Act  
TFAH Trust for America's Health  
TJC The Joint Commission  
TRACIE Technical Resources, Assistance Center, and Information Exchange