

GME @ Dentons

Welcome to GME @ Dentons, a newsletter designed to provide you with monthly updates on issues related to **graduate medical education (GME)**.

Our DC-based team—

Holley Thames Lutz

and

Susan Banks

—regularly advise clients on all aspects of GME and write the GME @ Dentons newsletter to help you navigate the ever-evolving GME regulatory landscape.

Holley has, for more than a decade, represented a broad array of health care providers with respect to Medicare coverage and reimbursement issues, including those relating to graduate medical education. Finally, Susan's Medicare and Medicaid compliance and reimbursement consulting experience has a large GME component, including advising on GME-related contracting requirements in connection with the establishment of new medical and dental residency programs.

What can you expect from *GME @ Dentons*?

- Hot topics and insights into key developments in the complex world of GME reimbursement.
- Updates on proposed GME regulations and other guidance from the Centers for Medicare & Medicaid Services (CMS).
- Alerts and analysis regarding significant proposed GME legislation.

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Key contacts



Holley Thames Lutz

Partner,

Washington, DC

Washington, DC

D +1 202 408 6836

holley.lutz@dentons.com



Susan Banks

Partner,

Denver

Denver

D +1 303 634 4329

susan.banks@dentons.com



GME @ Dentons - Differences between program closure rules and hospital closure rules

January 9, 2020



When a residency program or hospital closes, residents must find alternative programs in which to complete training and teaching hospitals must assess the payment implications of taking on so-called “displaced residents.” However, confusion often arises between CMS’ rules for transferring Medicare GME-funded positions from one hospital to another in the event of a residency program closure, and the Affordable Care Act’s rules relating to the permanent redistribution of a hospital’s GME positions upon hospital closure. We explain the differences.





GME @ Dentons: Hahnemann bankruptcy to leave residents without malpractice insurance

December 5, 2019



On June 30, 2019, Philadelphia-based Hahnemann University Hospital and St. Christopher's Hospital for Children filed for bankruptcy protection in the US Bankruptcy Court for the District of Delaware. As part of the bankruptcy process, Hahnemann won the court's approval to sell its Medicare provider agreement, which primarily consisted of the right to receive the Medicare funding associated with each of Hahnemann's more than 550 Medicare-funded residency positions.



GME @ Dentons—Section 5506 redistribution announcement in the CY 2020 OPPS final rule

November 5, 2019



On Friday, November 1, 2019, CMS announced the opening of the application process for teaching hospitals to apply for GME slots from two closed hospitals: Hahnemann University Hospital in Philadelphia, PA (CCN 39-0290), and Ohio Valley Hospital in Wheeling, WV (CCN

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51-0039). This announcement in the

CY 2020 OPPS final rule

officially gave notice of Rounds 16 and 17 of the Affordable Care Act's section 5506 closed hospital slot redistribution program.



GME-Related Policies and Announcements in the FY 2020 IPPS Final Rule

August 8, 2019



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On August 2, CMS released the fiscal year 2020 hospital inpatient prospective payment system (IPPS)

final rule

. The rule finalizes several proposals relating to hospital payment policy, including one that changes how full-time equivalent (FTE) resident time may be counted when residents train at critical access hospitals (CAHs).



Residency program misadventures

July 11, 2019





Resident training does not always proceed as smoothly as one hopes. Sometimes a patient may experience an adverse event as a result of care provided by a resident. A resident may also raise a potentially significant grievance with the training institution involving actions by a particular supervising physician or program operations more generally.



Resident rotator bill voted out of Ways & Means Committee: Next step, consideration by the full House of Representatives

June 27, 2019





The US House Ways & Means Committee has reported out for consideration by the full House a bill containing provisions that would help hospitals whose per resident amounts and caps were inadvertently established by small numbers of resident rotators.



Azar v. Allina Health Services: Supreme Court recognizes expanded notice-and-comment requirement for subregulatory payment policies

June 6, 2019





The Court's decision in *Azar v. Allina Health Services* (No. 17–1484) (*Allina*) arms hospitals and other care providers with a powerful new tool for challenging subregulatory Medicare reimbursement policies, potentially including GME payment policies, that were not promulgated through formal rulemaking processes.



Two GME-related provisions in the FY 2020 IPPS proposed rule

April 26, 2019





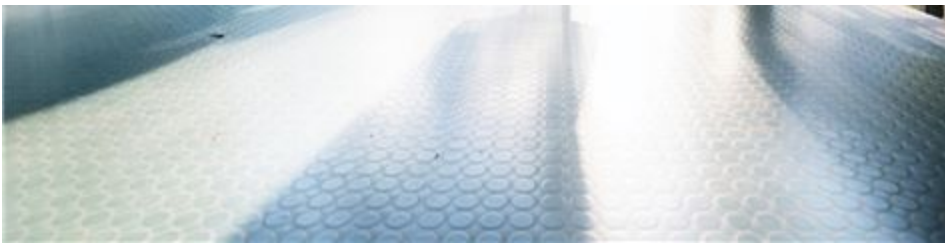
On April 23, The Centers for Medicare & Medicaid Services (CMS) released the agency's fiscal year 2020 inpatient prospective payments system (IPPS) proposed rule. The rule contains many proposals related to hospital payment policy, including two notable GME announcements described below. Comments on the proposed rule are due June 24, 2019.



Recent happenings in Washington and regulatory update for March 2019

April 4, 2019





There have been several notable events recently in the federal GME funding space. Among them are the President's recent fiscal year (FY) 2020 budget proposal and a recent round of GME slot redistributions from closed teaching hospitals.



House of Representatives reintroduces Advancing Medical Resident Training in Community Hospitals Act

February 28, 2019





The US House of Representatives reintroduced a bill on Tuesday to help hospitals that accidentally established Medicare GME full-time equivalent (FTE) resident limits, or "caps," and/or per resident amounts (PRAs) based on small numbers of resident rotators.

**How can the world's largest law firm help you today
?**

Contact us or find an office in your location.