

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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CMS extends July 1 Medicare affiliated group agreement deadline

June 2, 2021



United States: On May 24, 2021, CMS extended from July 1, 2021, to January 1, 2022, the deadline for submitting new Medicare graduate medical education (GME) affiliated group agreements for Academic Year (AY) 2021-2022 and for submitting extensions of Medicare GME affiliated group agreements for AY 2020-2021.





Court finds for teaching hospitals in “fellow weighting penalty” case

May 26, 2021



United States: On May 17, 2021, the US District Court for the District of Columbia granted summary judgment in favor of a group of teaching hospitals that claimed CMS unlawfully reduced the weights of fellows and other residents training beyond their initial residency periods when calculating the plaintiff hospitals’ direct GME reimbursement.





GME-related provisions in the FY 2022 IPPS proposed rule

April 28, 2021



United States: On April 27, CMS released the fiscal year (FY) 2022 hospital inpatient prospective payments system (IPPS) proposed rule. The rule contains many proposals related to hospital payment policy, including three notable GME sections implementing certain provisions of Division CC of the Consolidated Appropriations Act of 2021 (Pub. L. 116-260), which enacted various health extenders (herein, simply the “CAA”).





CMS proposes cost-reporting instructions implementing COVID-related IME bed counting rules

April 20, 2021



United States: On April 30, 2020, CMS relaxed its bed-counting regulations so that teaching hospitals that temporarily increased their number of available beds to respond to the influx of COVID-19 patients would not experience reductions in IME payment amounts.





GME @ Dentons: Upcoming Deadline for Section 5506 Slots from Two Closed Hospitals

February 16, 2021



United States: Teaching hospitals interested in applying for DGME and IME slots available from closed hospitals — Westlake Community Hospital in Melrose Park, IL (CCN 14-0240), and Astria Regional Medical Center, in Yakima, WA (CCN 50-0012) — must submit applications to CMS by March 29, 2021.





GME @ Dentons: CMS Announces Awardees of Section 5506 Slots from Hahnemann University Hospital

December 29, 2020



United States: On December 22, CMS announced the 16 hospitals awarded Medicare-funded DGME and IME positions through Round 16 of the Affordable Care Act's Section 5506 slot redistribution program.





Three Key GME Support Provisions in Congress's COVID-19 Emergency Relief Package

December 22, 2020



United States: On December 21, 2020, Congress passed a US\$900 billion spending package designed to bolster the US economy and to fund programs designed to fight COVID-19 and treat patients.





CMS Finalizes Remote Supervision and Moonlighting Flexibilities During and Beyond the COVID-19 Public Health Emergency

December 16, 2020



United States: On December 2, 2020, CMS published the Calendar Year (CY) 2021 Medicare Physician Fee Schedule Final Rule (the “Final Rule”), finalizing the current remote flexibilities for residency training sites and teaching physicians for the duration of the COVID-19 public health emergency (PHE), and finalizing permanent revisions beyond the COVID-19 PHE as proposed in the CY 2021 Physician Fee Schedule Proposed Rule (the “Proposed Rule”).





Medicare GME Affiliation Agreement Deadline Further Extended to January 1, 2021

October 5, 2020



United States: The deadline for new or amended Medicare graduate medical education (GME) affiliation agreements has been extended to January 1, 2021. Previously, this deadline had been extended to October 1, 2020. Both extensions were made in response to the COVID-19 public health emergency. Details are provided in this [GME @ Dentons Insight](#).





GME @ Dentons - Displaced Resident Policies in the FY 2021 IPPS Final Rule

September 8, 2020



United States: On September 2, CMS released the FY 2021 IPPS Final Rule, which includes policy changes related to closing hospitals and closing residency programs. CMS finalized policies to define “displaced residents” for purposes of determining whether the closing hospital or program can voluntarily transfer temporary cap slots to other hospitals that agree to train the residents for the remainder of their programs. The changes will take effect for residency programs that close on or after October 1, 2020.