



## **Center for Clinical Standards and Quality/Survey & Certification Group**

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**Admin Info: 15-44-CMHC**

**DATE:** August 28, 2015

**TO:** State Survey Agency Directors

**FROM:** Director, Survey and Certification Group

**SUBJECT:** Community Mental Health Center (CMHC) Surveys Against All Conditions of Participation (CoP)

### **Memorandum Summary**

**State Survey Agency (SA) Survey Responsibility for CMHCs:** The Centers for Medicare & Medicaid Services (CMS) requires that all surveys of certified CMHCs be conducted utilizing the CMHC CoPs published on October 29, 2013.

Re-certification surveys are to be conducted at a minimum of every five years and must not be terminated during the entrance conference because the surveyor learns there are currently no Partial Hospitalization Program (PHP) patients on census.

### **Background**

The regulations at 42 CFR Part 485, Subpart J (§§485.900 through 485.918) which established the CoPs for CMHCs, were published in October 29, 2013 and became effective on October 29, 2014. These CoPs are to be utilized in their entirety for all surveys of CMHCs and a CMHC must be in compliance with all the CoPs for initial or continued Medicare certification to be appropriate.

The regulations at 42 CFR485.918 (b) (1) (iii) *Provision of Services*, requires that the CMHC provide PHP services. The CMHC may not establish a policy that they do not provide such services. If the surveyor determines that such a policy is in effect at a CMHC, the CMHC would be found out of compliance with the Condition: *Organization, governance, administration of services, and partial hospitalization services*. However, the surveyor would complete the entire survey using all CMHC CoPs denoting all requirements that are not met.

If a surveyor learns during an entrance conference at a CMHC that they provide CMHC services but currently have no PHP patients on census, they are to utilize the most recent closed records of previous Partial Hospitalization patients for their sample.

**Contact:** For questions contact Donald Howard [donald.howard@cms.hhs.gov](mailto:donald.howard@cms.hhs.gov) or if not available, Peter Ajuonuma [peter.ajuonuma@cms.hhs.gov](mailto:peter.ajuonuma@cms.hhs.gov).

**Effective Date:** Immediately. This policy should be communicated with all survey and certification staff, their managers and the State/Regional Office training coordinators within 30 days of this memorandum.

/s/

Thomas E. Hamilton

cc: Survey and Certification Regional Office Management