

4 Key Requirements of CMS' New Emergency Preparedness Rule

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In an effort to establish consistent emergency preparedness requirements, increase patient safety, and ensure coordinated responses to catastrophes^[i], the Centers for Medicare and Medicaid Services (CMS) released the *Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers* (“Final Rule”) in September.

The Final Rule requires that participating providers and suppliers plan for natural and man-made disasters in collaboration with federal, state, tribal, regional, and local emergency preparedness organizations.^[ii] Participating providers and suppliers must:

1. Develop an Emergency Plan in light of an All-Hazards Risk Assessment

The plan must identify the capacities and capabilities critical for preparedness for the full spectrum of disasters identified in the risk assessment.

2. Develop and Implement Policies and Procedures

Policies and procedures must support successful execution of the emergency plan in light of the risk assessment.

3. Develop and Maintain a Communication Plan

The plan should ensure patient coordination within the facility, across health providers, and in collaboration with state and local emergency organizations and public health departments.

4. Develop and Maintain Training and Testing Programs

Implement initial training for new and existing staff and annual refresher trainings that include, but are not limited to, drills and exercises to test emergency plans and identify gaps and areas for improvement.^[iii]

Notably, the Final Rule sets unique requirements for each type of provider and supplier. CMS summarizes these requirements in a table.

Affected parties should review the Final Rule in depth, evaluating their current emergency preparedness plans and programs in light of the new obligations, implemented as Conditions of Participation beginning November 15, 2017.

[i] See <https://www.cms.gov/newsroom/mediareleasedatabase/press-releases/2016-press-releases-items/2016-09-08.html>

[ii] 81 FR 63860 *Available at:* <https://www.gpo.gov/fdsys/pkg/FR-2016-09-16/pdf/2016-21404.pdf>

[iii] 81 FR 63861 *Available at:* <https://www.gpo.gov/fdsys/pkg/FR-2016-09-16/pdf/2016-21404.pdf>

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