



August 4, 2008

Dear Colleague:

I would like to provide you with an update on The Joint Commission's response to the recently enacted Medicare Improvements for Patients and Providers Act of 2008.

Importantly, The Joint Commission's current deeming authority for hospitals remains unaffected through the 24-month transition period described below. The new law requires all accrediting bodies to complete a formal application process in order that their accredited hospitals be recognized for Medicare "deemed status." On August 1, The Joint Commission's Board of Commissioners unanimously approved a resolution for The Joint Commission to apply to the Centers for Medicare & Medicaid Services (CMS) to continue this hospital deeming authority. The Joint Commission fully expects that it will be successful and, without interruption, will remain as the nation's leading hospital accrediting body.

As most of you are aware, The Joint Commission has derived its hospital deeming authority directly from the Medicare statute since 1965, unlike other hospital accrediting bodies and The Joint Commission's non-hospital deemed programs – all of which require application to CMS. Over the next several years, The Joint Commission will continue to offer hospitals Medicare deemed status through its current statutory authority.

By July 15, 2010, The Joint Commission will have received a decision from CMS for its continuation of its Medicare recognition. It is important to note that the law also provides for a transition period in order to minimize any potential disruption to our accredited hospitals. Specifically, any hospital accreditation – and corresponding Medicare deemed status – granted prior to July 15, 2010, will remain in effect for the full term of that hospital's accreditation. For example, a hospital receiving an accreditation award in May 2010 will continue to enjoy deemed status for the duration of its three-year accreditation period ending May 2013, subject to current Joint Commission policies and procedures.

The Joint Commission staff is working with CMS to understand its expectations, timetable and process for accepting a hospital deemed status application from The Joint Commission, and to ensure a seamless transition under the new law. To date, CMS has informed The Joint Commission that it will conduct a traditional deeming application review, where issues will be identified and resolved during the process. The review will include an assessment of a crosswalk between the Medicare hospital Conditions of Participation (CoPs) and The Joint Commission hospital standards, and will include an evaluation of our survey processes and surveyor training programs, among other things.

I want to personally thank you for your continued support of The Joint Commission. We will keep you updated on the application process.

Sincerely,

Mark R. Chassin, M.D., M.P.P., M.P.H.  
President  
The Joint Commission