



Center for Medicaid and State Operations/Survey and Certification Group

Ref: S&C:-06-26

**DATE:** September 14, 2006  
**TO:** State Survey Agency Directors  
**FROM:** Director  
Survey and Certification Group  
**SUBJECT:** Clarification of Tag 58 on Form CMS-437A

**Letter Summary**

This memorandum is to provide clarification regarding language contained on Form CMS-437A under Tag 58.

**Discussion**

It has come to our attention that there is a minor error on Form CMS-437A, Page 2 under tag M58. In the printed form, there is an "or" at the end of (a)(2) that should be stricken.

The tag currently reads: (a) Have met either the requirements for:  
(1) New units under § 412.30(a); or  
(2) Converted units under § 412.30(c); or

The tag should read: (a) Have met either the requirements for:  
(1) New units under § 412.30(a); or  
(2) Converted units under § 412.30(c).

We will not be reprinting the CMS-437A just to correct this oversight. However, the error will be corrected on the CMS Forms website. The latest revision date for the form will remain 03/06. For questions on this memo, please contact Georgia Johnson at (410) 786-6859 or e-mail at [gjohnson4@cms.hhs.gov](mailto:gjohnson4@cms.hhs.gov)

**Effective Date:** Immediately. The Regional Offices (ROs) and State Agencies should disseminate this information within 30 days of the date of this memorandum. SNFs providing OPT services must be in compliance with this memorandum six months from the date of issuance.

**Training:** The information contained in this announcement should be shared with all survey and certification staff, their managers, the state/RO training coordinator, and all SNFs.

/s/

Thomas E. Hamilton

cc: Survey and Certification Regional Office Management