

## Small Entity Compliance Guide

### Medicare Program; Strengthening Oversight of Accrediting Organizations (AOs) and Preventing AO Conflicts of Interest, and Related Provisions

CMS-3367-FC, RIN 0938-AU88

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The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) (Pub. L. 104-121, as amended by Pub. L. 110-28, May 25, 2007) contains requirements for issuance of “small entity compliance guides”. Guides are to explain what actions affected entities must take to comply with agency rules. Such guides must be prepared when agencies issue final rules for which agencies are required to prepare a Final Regulatory Flexibility Analysis under the Regulatory Flexibility Act (RFA).

This final rule is estimated to have a significant economic impact on a substantial number of small entities. The complete text of this final rule with comment period can be found on the CMS website at <https://www.cms.gov/about-cms/contact/newsroom>.

#### Summary

We have prepared this guide to address the following provisions of the final rule with comment period:

This final rule will establish a number of provisions to strengthen the oversight of accrediting organizations (AOs) by addressing conflicts of interest; establishing consistent standards, processes, and definitions; and updating the validation and performance standards systems.

For purposes of the RFA, AOs, are considered small business if they generate revenues of \$6.5 million or less, according to the Small Business Administration size schedule. Approximately 44 percent of AOs are considered to be small entities. There are about four AOs which this rule will have a significant economic impact.