

## Home Health and Hospice Nationwide Moratorium Q&As

### **Q1: What is a moratorium?**

**A1:** A moratorium is a temporary suspension or halt on the enrollment of new providers or suppliers in specific categories or geographic areas. CMS implements moratoria (plural form of moratorium) as a program integrity measure to prevent fraud, waste, and abuse (FWA) by stopping, for example, the enrollment of new providers in geographic areas where there is significant potential for FWA. CMS also has legal authority to place a moratorium on a specific category (or categories) of providers that presents significant potential for FWA.

### **Q2: What is the legal authority for implementing a moratorium?**

**A2:** Consistent with section 1866(j)(7) of the Act, 42 CFR §424.570(a)(2) permits CMS to impose a temporary moratorium on newly enrolling Medicare providers and suppliers if, among other things, CMS determines that there is a significant potential for FWA with respect to a particular provider or supplier type, or geographic location(s), or both.

### **Q3: What provider types are covered by this moratorium?**

**A3:** Beginning on the effective date of the moratorium, no new Home Health Agencies and Hospice providers will be enrolled into Medicare. The moratorium applies to initial applications and includes non-exempt changes in majority ownership (CIMOs) under 42 CFR 424.550(b) (see 424.502 for the definition of a CIMO). Any such application submitted by HHAs and Hospices after the implementation date of the moratorium will be denied.

### **Q4: Has CMS ever used this authority?**

**A4:** Yes. CMS imposed and extended a number of moratoria between 2013 and 2018. These applied to, at various times, home health agencies (HHAs) and ground ambulance suppliers. They were statewide or local in nature; for instance, states such as Florida, Michigan, Texas, and New Jersey had moratoria as did localities like Harris County (TX) and Broward County (FL). These moratoria also applied to Medicaid. The last moratorium expired in 2019. Also, effective February 27, 2026, CMS implemented a nationwide moratorium on the Medicare enrollment of medical supply companies (91 FR 9855). This moratorium remains in effect.

### **Q5: How are moratoria announced and communicated?**

**A5:** CMS typically announces moratoria through:

- Federal Register notices - <https://www.federalregister.gov/>
- CMS.gov website announcements - <https://www.cms.gov/medicare/enrollment-renewal/providers-suppliers/chain-ownership-system-pecos/provider-enrollment-moratoria>
- Communication from Medicare Administrative Contractors (MACs)

- MLN Connects newsletter – subscribe at [https://public.govdelivery.com/accounts/USCMS/subscriber/new?pop=t&topic\\_id=USCMS\\_7819](https://public.govdelivery.com/accounts/USCMS/subscriber/new?pop=t&topic_id=USCMS_7819).
- Industry stakeholder notifications

**Q6: Can providers/suppliers appeal or request exceptions to the moratorium?**

**A6:** Providers/suppliers may use the existing appeal procedures at 42 CFR Part 498 to administratively appeal a denial of billing privileges based on the imposition of a temporary moratorium. However, the scope of any such appeal would be limited solely to assessing whether the temporary moratorium applies to the provider/supplier appealing the denial.

CMS’ regulations do not permit exceptions to a moratorium for individual providers or suppliers.

**Q7: How long does a moratorium typically last?**

**A7:** Moratoria are implemented for six months. They can be extended for additional six-month periods if necessary. Extensions are announced through a Federal Register (FR) notice. The lifting of the moratorium will also be announced through an FR notice.

**Q8: Does a moratorium affect existing enrolled providers and suppliers?**

**A8:** No. Moratoria typically only affect new enrollment applications. Existing enrolled providers and suppliers can generally:

- Continue to participate in Medicare
- Submit claims for covered services
- Make certain changes to their enrollment information

Under 42 CFR §424.570(a)(1)(iii), a temporary moratorium does not apply to changes in practice locations (except if the location is changing from a location outside the moratorium area to a location inside the moratorium area), changes to enrollment information (e.g., phone number), and some changes in ownership. Refer to Q&A 9 for more information regarding changes in practice locations.

**Q9: Can I change practice locations during the moratorium?**

**A9:** HHAs and Hospices are generally exempt from Medicare enrollment moratoria when a change in practice location occurs. However, such exemptions are not unconditional. In accordance with Sections 2086, and 2185, and 2702B of the State Operations Manual (SOM), CMS Publication 100-07, Chapter 2, a change in practice location or service address does not automatically qualify as a continuation of existing operations.

Specifically, CMS or the applicable State Survey Agency (SA) is responsible for evaluating whether a reported change in practice location or address constitutes a substantive operational change — for example, whether the provider has effectively relocated into a new geographic community, is serving a new patient population, and/or is operating with new clinical or administrative staff. If such conditions are present, the change may be treated as the establishment of a new provider entity rather than a simple address update, and the enrollment moratorium may apply accordingly.

**Q10: Can I add an additional practice location to my existing HHA or hospice enrollment during the moratorium?**

**A10:** No, the moratorium prohibits adding a new practice location to an existing Medicare enrollment. This includes new branches, satellite offices, and expansion locations being added to an existing HHA or Hospice’s CMS Certification Number (CCN).

**Q11: How are changes in ownership impacted by the moratorium?**

**A11:** Under 42 CFR §424.550(b) – and unless an exception applies – an HHA or hospice that undergoes a change in its majority ownership (CIMO) (including asset sale, stock transfer, merger, and consolidation) within 36 months after its initial enrollment (or its most recent CIMO) must initially enroll as a brand new provider and undergo a state survey or accreditation. This means that unless an exception applies (e.g., the prior owner passed away), any change in an HHA or hospice provider’s majority ownership within 36 months of its initial enrollment or its most recent CIMO terminates the provider’s enrollment and requires it to initially enroll as a new provider (and obtain a new survey or accreditation). For this reason, it would be considered a “new provider” and thus be subject to the moratorium. However, CIMOs that occur greater than 36 months after initial enrollment or more than 36 months after the most recent CIMO do not, in general, cause the HHA or hospice to be treated as a new HHA or hospice.

**Q12: What happens to pending applications when a moratorium is implemented?**

**A12:** In accordance with §424.570(a)(1)(iv), a moratorium does not apply to an enrollment application that has been received by the Medicare contractor prior to the date the moratorium is imposed.

**Q13: Can providers submit initial enrollment applications during a moratorium period?**

**A13:** Initial enrollment applications submitted during a moratorium will be denied and the application will need to be resubmitted once the moratorium is lifted. Existing providers and suppliers should continue to comply with all changes of information and revalidation reporting requirements. The moratorium only impacts new enrollments and not ongoing compliance obligations.

**Q14: How will the moratorium affect Medicaid HHA and Hospice providers?**

**A14:** At this time, we believe it is in the best interest of Medicaid and CHIP beneficiaries across the country to allow each state to decide whether some form of a HHA and/or Hospice moratorium is appropriate for their respective Medicaid and CHIP programs, and the scope of any such moratorium. Each state has greater expertise and experience with their pool of providers, including their state requirements for HHAs and Hospices, than CMS. Nevertheless, CMS encourages each state to, as appropriate, implement a HHA and Hospice provider moratorium tailored to the specifics of their beneficiary population, as well as any geographic considerations. Additionally, CMS is offering every state and territory the opportunity to consult with CMS on the prospect of implementing a Medicaid-based, CHIP-based, or a Medicaid and CHIP-based HHA and/or Hospice moratorium in their jurisdictions.

**Q15: Will the nationwide hospice moratorium affect the ability to use telehealth for face-to-face recertification encounters?**

**A15:** No. The nationwide hospice moratorium will not impact the telehealth flexibility currently available for face-to-face recertification requirements. Hospices that are already enrolled can continue to utilize telehealth to conduct recertification encounters.