

LTC-HHA-Hospice-CLIA CALCULATION OF CMP ADJUSTMENTS - 2025

Long-Term Care					
U.S.C. Section(s)	CFR ¹	Description ²	Date of Last Penalty Figure or Adjustment ³	2024 Maximum Adjusted Penalty (\$)	2025 Maximum Adjusted Penalty (\$) ⁴
1395i-3(b)(3)(B)(ii)(1)	42 CFR 1003.210(a)(11)	Penalty for certification of a false statement in assessment of functional capacity of a Skilled Nursing Facility resident assessment.	2024	2,670	2,739
1395i-3(b)(3)(B)(ii)(2)	42 CFR 1003.210(a)(11)	Penalty for causing another to certify or make a false statement in assessment of functional capacity of a Skilled Nursing Facility resident assessment.	2024	13,343	13,690
1395i-3(g)(2)(A)	42 CFR 1003.1310	Penalty for any individual who notifies or causes to be notified a Skilled Nursing Facility of the time or date on which a survey is to be conducted.	2024	5,339	5,478
1396r(f)(2)(B)(iii)(I)(c)	42 CFR 483.151(b)(2)(iv) and (b)(3)(iii)	Grounds to prohibit approval of nurse aide training program – if assessed a penalty in 1819(h)(2)(B)(i) or 1919(h)(2)(A)(ii) of "not less than \$5,000" [Not CMP authority, but a specific CMP amount (CMP at this level) that is the triggering condition for disapproval]	2024	13,343	13,690
1320a-7j(h)(3)(A)	42 CFR 483.70(l)	Penalty for an administrator of a facility that fails to comply with notice requirements for the closure of a facility.	2024	140,674	144,329
1396r(h)(3)(C)(ii)(I)	42 CFR 483.151(c)(1)	Grounds to waive disapproval of nurse aide training program - reference to disapproval based on imposition of CMP "not less than \$5,000" [Not CMP authority but CMP imposition at this level determines eligibility to seek waiver of disapproval of nurse aide training program].	2024	13,343	13,690

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		Minimum penalty for the first offense of an administrator who fails to provide notice of facility closure.	2024	703	721
		Minimum penalty for the second offense of an administrator who fails to provide notice of facility closure.	2024	2,111	2,166
		Minimum penalty for the third and subsequent offenses of an administrator who fails to provide notice of facility closure.	2024	4,219	4,329
1320b-25(c)(1)(A)		Penalty for failure of covered individuals to report to the Secretary and 1 or more law enforcement officials any reasonable suspicion of a crime against a resident, or individual receiving care, from a long-term care facility.	2024	281,346	288,655
1320b-25(c)(2)(A)		Penalty for failure of covered individuals to report to the Secretary and 1 or more law enforcement officials any reasonable suspicion of a crime against a resident, or individual receiving care, from a long-term care facility if such failure exacerbates the harm to the victim of the crime or results in the harm to another individual.	2024	422,017	432,981
1320b-25(d)(2)		Penalty for a long-term care facility that retaliates against any employee because of lawful acts done by the employee, or files a complaint or report with the State professional disciplinary agency against an employee or nurse for lawful acts done by the employee or nurse.	2024	281,346	288,655
1395i-3(h)(2)(B)(ii)(I)	42 CFR 488.408(d)(1)(iii)	Penalty per day for a Skilled Nursing Facility that has a Category 2 violation of certification requirements.			
		Minimum	2024	133	136
		Maximum	2024	8,003	8,211

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1395i-3(h)(2)(B)(ii)(I)	42 CFR 488.408(d)(1)(iii)	Penalty per instance of Category 2 noncompliance by a Skilled Nursing Facility.			
		Minimum	2024	2,670	2,739
		Maximum	2024	26,685	27,378
	42 CFR 488.408(e)(1)(iii)	Penalty per day for a Skilled Nursing Facility that has a Category 3 violation of certification requirements.			
		Minimum	2024	8,140	8,351
		Maximum	2024	26,685	27,378
	42 CFR 488.408(e)(1)(iv)	Penalty per instance of Category 3 noncompliance by a Skilled Nursing Facility.			
		Minimum	2024	2,670	2,739
		Maximum	2024	26,685	27,378
	42 CFR 488.408(e)(2)(ii)	Penalty per day and per instance for a Skilled Nursing Facility that has Category 3 noncompliance with Immediate Jeopardy.			
		Minimum Per Day	2024	8,140	8,351
		Maximum Per Day	2024	26,685	27,378
		Minimum Per Instance	2024	2,670	2,739
		Maximum Per Instance	2024	26,685	27,378
	42 CFR 488.438(a)(1)(i)	Penalty per day of a Skilled Nursing Facility that fails to meet certification requirements. These amounts represent the upper range per day.			
		Minimum	2024	8,140	8,351
		Maximum	2024	26,685	27,378
	42 CFR 488.438(a)(1)(ii)	Penalty per day of a Skilled Nursing Facility that fails to meet certification requirements. These amounts represent the lower range per day.			
		Minimum	2024	133	136
		Maximum	2024	8,003	8,211
	42 CFR 488.438(a)(2)	Penalty per instance of a Skilled Nursing Facility that fails to meet certification requirements.			
		Minimum	2024	2,670	2,739

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		Maximum	2024	26,685	27,378
1395cc(g)	42 CFR 1003.210(a)(5)	Penalty for improper billing by Hospitals, Critical Access Hospitals, or Skilled Nursing Facilities.	2024	6,469	6,637
	42 CFR 488.447	Penalty imposed for failure to comply with infection control weekly reporting requirements at 42CFR 483.80(g)(1) and (2).			
		First Occurrence	2024	1,196	1,227
		Incremental increases for each subsequent occurrence.	2024	598	614

Clinical Laboratory Improvement Amendments					
U.S.C. Section(s)	CFR ¹	Description ²	Date of Last Penalty Figure or Adjustment ³	2024 Maximum Adjusted Penalty (\$)	2025 Maximum Adjusted Penalty (\$) ⁴
263a(h)(2)(B) & 1395w-2(b)(2)(A)(ii)	42 CFR 493.1834(d)(2)(i)	Penalty for a clinical laboratory's failure to meet participation and certification requirements and poses immediate jeopardy.			
		Minimum	2024	7,807	8,010
		Maximum	2024	25,597	26,262
	42 CFR 493.1834(d)(2)(ii)	Penalty for a clinical laboratory's failure to meet participation and certification requirements and the failure does not pose immediate jeopardy.			
Minimum		2024	129	132	
		Maximum	2024	7,678	7,877
1395l(h)(5)(D)	42 CFR 402.105(d)(2)(i)	Penalty for knowingly, willfully, and repeatedly billing for a clinical diagnostic laboratory test other than on an assignment-related basis. (Penalties are assessed in the same manner as 42 U.S.C. 1395u(j)(2)(B), which is assessed according to 1320a-7a(a)	2024	19,435	19,940

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Home Health Agencies					
U.S.C. Section(s)	CFR ¹	Description ²	Date of Last Penalty Figure or Adjustment ³	2024 Maximum Adjusted Penalty (\$) ⁴	2025 Maximum Adjusted Penalty(\$)
1395bbb(c)(1)	42 CFR 488.725(c)	Penalty for any individual who notifies or causes to be notified a home health agency of the time or date on which a survey of such agency is to be conducted.	2024	5,339	5,478
1395bbb(f)(2)(A)(i)	42 CFR 488.845(b)(2)(iii), (b)(3) – (6), and (d)(1)(ii)	Maximum daily penalty for each day a home health agency is not in compliance with statutory requirements.	2024	25,597	26,262
	42 CFR 488.845(b)(3)	Penalty per day for home health agency's noncompliance (Upper Range).			
		Minimum	2024	21,757	22,322
		Maximum	2024	25,597	26,262
	42 CFR 488.845(b)(3)(i)	Penalty for a home health agency's deficiency or deficiencies that cause immediate jeopardy and result in actual harm.	2024	25,597	26,262
	42 CFR 488.845(b)(3)(ii)	Penalty for a home health agency's deficiency or deficiencies that cause immediate jeopardy and result in potential for harm.	2024	23,036	23,634
	42 CFR 488.845(b)(3)(iii)	Penalty for an isolated incident of noncompliance in violation of established HHA policy.	2024	21,757	22,322
	42 CFR 488.845(b)(4)	Penalty for a repeat and/or condition level deficiency that does not constitute immediate jeopardy, but is directly related to poor quality patient care outcomes (Middle Range).			
	Minimum	2024	3,841	3,941	

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		Maximum	2024	21,757	22,322
	42 CFR 488.845(b)(5)	Penalty for a repeat and/or condition level deficiency that does not constitute immediate jeopardy and that is related predominately to structure or process-oriented conditions (Lower Range).			
		Minimum	2024	1,280	1,313
		Maximum	2024	2,559	2,625
	42 CFR 488.845(b)(6)	Penalty imposed for instance of noncompliance that may be assessed for one or more singular events of condition-level noncompliance that are identified and where the noncompliance was corrected during the onsite survey.			
		Minimum	2024	2,559	2,625
		Maximum	2024	25,597	26,262
	42 CFR 488.845(d)(1)(ii)	Penalty for each day of noncompliance (Maximum).	2024	25,597	26,262

Hospice Programs					
U.S.C. Section(s)	CFR1	Description2	Date of Last Penalty Figure or Adjustment3	2024 Maximum Adjusted Penalty (\$) ⁴	2025 Maximum Adjusted Penalty (\$)
1395i–6(c)(5)(B)(i)	42 CFR 488.1245(b)(2)(iii), (b)(3) – (6), and (d)(1)(ii)	Maximum daily penalty for each day a hospice program is not in substantial compliance with one or more conditions of participation	2024	11,124	11,413
	42 CFR 488.1245(b)(3)	Penalty per day for hospice program’s noncompliance (Upper Range).			
		Minimum	2024	9,455	9,701
		Maximum	2024	11,124	11,413

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	42 CFR 488.1245(b)(3)(i)	Penalty for a hospice program's deficiency or deficiencies that cause immediate jeopardy and result in actual harm.	2024	11,124	11,413
	42 CFR 488.1245(b)(3)(ii)	Penalty for a hospice program's deficiency or deficiencies that cause immediate jeopardy and result in potential for harm.	2024	10,011	10,271
	42 CFR 488.1245(b)(3)(iii)	Penalty for an isolated incident of noncompliance in violation of established hospice policy.	2024	9,455	9,701
	42 CFR 488.1245(b)(4)	Penalty for a repeat and/or condition level deficiency that does not constitute immediate jeopardy, but is directly related to poor quality patient care outcomes (Middle Range).			
		Minimum	2024	1,668	1,711
		Maximum	2024	9,455	9,701
	42 CFR 488.1245(b)(5)	Penalty for a repeat and/or condition level deficiency that does not constitute immediate jeopardy and that is related predominately to structure or process-oriented conditions (Lower Range).			
Minimum		2024	556	570	
Maximum		2024	4,450	4,566	

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	42 CFR 488.1245(b)(6)	Penalty imposed for instance of noncompliance that may be assessed for one or more singular events of condition-level noncompliance that are identified and where the noncompliance was corrected during the onsite survey.			
		Minimum	2024	1,112	1,141
		Maximum	2024	11,124	11,413
	42 CFR 488.1245(d)(1)(ii)	Penalty for each day of noncompliance (Maximum).	2024	11,124	11,413

¹Some HHS components have not promulgated regulations regarding their civil monetary penalty-specific statutory authorities.

²The description is not intended to be a comprehensive explanation of the underlying violation; the statute and corresponding regulation, if applicable, should be consulted.

³Statutory or Inflation Act Adjustment.

⁴The cost of living multiplier for 2024, based on the Consumer Price Index for all Urban Consumers (CPI-U) for the month of October 2023, not seasonally adjusted, is 1.03241, as indicated in OMB Memorandum M-24-07 “Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Adjustment Act Improvements Act of 2015”