



Center for Medicaid and State Operations/Survey and Certification Group

Dear Colleague:

The Centers for Medicare & Medicaid Services (CMS) published a final rule October 7, 2005 (70 FR 58834) that requires Medicare & Medicaid participating nursing homes to provide residents with the opportunity to be immunized against influenza and pneumonia. The new regulation amends 42 CFR 483.25 "Quality of Care" to include §483.25(n) F334 Influenza and pneumococcal immunizations." This new regulation complements the existing federal requirement at 42 CFR §483.65(a), "Infection Control," that requires facilities to have an infection control program that is effective for investigating, controlling, and preventing infections.

I am pleased to send you a draft of the proposed guidance for F334 for your comment. The attached draft contains surveyor guidance, investigative protocol and severity guidance. With this draft we are inviting comments from professional, consumer, and provider organizations and Regional Offices and State Survey Agencies. We are asking for your review and written remarks by February 17, 2006. Full consideration will be given to your timely comments. **Responses should note the page and section the comment is referencing along with proposed language changes, if appropriate. Please do not send comments on the regulation since it is a final rule.**

We expect to issue an advance copy of the final guidance in April 2006. This will give nursing homes time to assure that all necessary systems are in place to meet the new requirement. Along with your comments about the draft, please send us your thoughts about needed training on this issue. Thank you in advance for participating in this comment period. Please send written comments to:

Susan Joslin
CMS
Mailstop S2-12-25
7500 Security Boulevard
Baltimore, Maryland 21244
Or, email your comments to Susan.Joslin@cms.hhs.gov

Sincerely,

A handwritten signature in black ink that reads "Angela Price-Smith for". The signature is written in a cursive style.

Thomas E. Hamilton
Director

Attachments