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Reminder: CMS Now Permits Electronic Submission of Medicare Graduate Medical Education (GME) Affiliation Agreements

By: [Thomas W. Coons](#)

As all teaching hospitals are aware, Medicare permits hospitals to share Medicare resident FTE cap slots through the use of Medicare Graduate Medical Education (GME) affiliation agreements. Historically, CMS has required that each hospital in the Medicare GME affiliated group submit the Medicare GME affiliation agreement to each hospital's Medicare contractor, with a copy to the CMS central office, **no later than July 1** of the residency year during which the agreement is to be in effect. See 42 C.F.R. § 413.79(f)(1). Too often, this has led to a scramble as hospitals have attempted to negotiate the final terms of an FTE sharing arrangement, memorialize those terms in a Medicare GME affiliation agreement, and mail those agreements by the July 1 deadline. Recently, however, CMS has provided some modest relief from this scramble.

In the FYE 2011 IPPS rule, CMS stated that, effective July 1, 2011, it would permit hospitals to submit their Medicare GME affiliation agreements to CMS by electronic means. 75 Fed. Reg. 50042, 50298-99 (Aug. 16, 2010). More recently, on its list serve, CMS reminded hospitals of its new policy. Under the policy, beginning with the July 1, 2011 through June 30, 2012 academic year, hospitals wishing to enter into Medicare affiliation agreements may submit those agreements to the CMS central office using the following e-mail address:

Medicare_GME_Affiliation_Agreement@cms.hhs.gov. The agreement must be received by CMS by 11:59 p.m. eastern daylight time on July 1, 2011. Assuming that this is done, the provider should receive an automatic reply informing it that the affiliation agreement submission has been received timely for the July 1, 2011 academic year.

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CMS encourages providers to submit their affiliation agreements electronically, in pdf format. CMS has also stated that it will continue to accept hard copies of affiliation agreements that are submitted to the central office of CMS no later than July 1, 2011. Faxes, however, will not be allowed.

CMS's instructions apply only to providers' submissions of Medicare GME affiliation agreements to CMS's central office. CMS states that providers are to continue to submit the "contractor copies" of the Medicare GME affiliation agreements to the contractors using whatever procedures the contractor has specified, either by hard copy mail or by e-mail, as applicable.

Ober|Kaler's Comments

As time grows near for providers to file their Medicare GME affiliation agreements, they may wish to consider filing those agreements with CMS by electronic means. Providers should be aware, however, that their contractors may still insist on receiving mailed "hard copies" of those agreements.