

CROSSWALK OF CMS PROVIDER TYPES IN THE EMERGENCY PREPAREDNESS FINAL RULE COMPARED TO NYS PUBLIC HEALTH AND MENTAL HYGIENE REGULATORY ARTICLES

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GNHYA has developed this document to help facilities and health systems prepare for CMS's Final Rule for Emergency Preparedness. The grid below provides a crosswalk of the 17 CMS provider types in the Final Rule against the corresponding article or articles within the NYS Public Health and Mental Hygiene Laws. This is a guidance only document. Specific interpretations should be undertaken by a facility's compliance and legal staff.

	CMS PROVIDER TYPE	NYS LAW	ARTICLE	NOTES
1	Ambulatory Surgical Center	Public Health	28	
2	Clinics, Rehabilitation, and Therapy	Public Health	28	
3	Community Mental Health Center	Mental Hygiene	31	Each is duly licensed as an Article 28.
4	Comprehensive Outpatient Rehab	Public Health	28	
5	Critical Access Hospital	Public Health	28	
6	End-Stage Renal Disease	Public Health	28	
7	Home Health Agency	Public Health	36, others	While most programs fall under Article 36, facilities could also fall under Articles 28, 36, 40, or 44, depending on their business structure and ownership.
8	Hospice	Public Health	40	
9	Hospital	Public Health	28	
10	Intermediate Care Facility–Intellectual Disability	Mental Hygiene	31, 16	NYS Office for Persons with Developmental Disabilities services are included within Article 16.
11	Long-Term Care Facility	Public Health	28, 36	Article 28 if a not-for-profit SNF, Article 36 if a home health provider.



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	CMS PROVIDER TYPE	NYS LAW	ARTICLE	NOTES
12	Organ Procurement Organization	NA		
13	Program for the All-Inclusive Care for the Elderly	Various		Most programs would fall under Article 28.
14	Psychiatric Residential Treatment Facility	Mental Hygiene	31	
15	Religious Non-Medical Health Care Institution	NA		
16	Rural Health Care-Federally Qualified Health Center	Public Health	28	
17	Transplant Center	Public Health	28	