



February 26, 2025

Stephanie Carlton
Acting Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244-1850

Dear Acting Administrator Carlton:

We are writing to you to request a delay in implementation of the revised Appendix PP Guidance to Surveyors for Long-Term Care Facilities of the State Operations Manual. The current effective date of this guidance is March 24, 2025; however, the current regulatory freeze and the ongoing pause on external communications from the Department of Health & Human Services (HHS) and its agencies including the Centers for Medicare & Medicaid Services (CMS) is significantly impairing nursing homes' abilities to interpret and implement this new guidance. LeadingAge requests that the effective date and implementation of this guidance be delayed to allow nursing homes to seek clarity and receive the guidance they need to properly implement these sub-regulatory directives.

CMS initially issued updates to Appendix PP in November 2024. At that time, the effective date for this guidance was February 2025 and nursing homes began working toward this compliance date. CMS hosted a Skilled Nursing Facilities (SNF) Open Door Forum on December 5; however, the new guidance was not addressed on this call. Further updates to the guidance were issued on January 16, 2025, at which time the effective date was pushed back to March 24, 2025, but no public forums were held to address providers' questions.

When President Trump took office on January 20, 2025, he issued [Regulatory Freeze Pending Review Executive Order](#) that instructed all executive departments and agencies not to propose or issue any new rules or regulatory actions, to immediately withdraw any rules that had not been published in the Federal Register, and to consider postponing any rules or regulatory actions that had not yet taken effect for a period of 60 days. The purpose of this freeze was to allow for a review of rules and regulatory actions to ensure consistency with the new Administration's policies.

Concurrently, the Trump Administration also directed a pause on external communications from federal health agencies, including CMS. Because of this pause on communications, CMS has been unable to confirm whether Appendix PP has been included in the regulatory review or whether any changes will be made to Appendix PP ahead of the March 24 effective date. Similarly, CMS has been unable to review these updates with providers in any public forum, answer questions, or coordinate with stakeholder associations seeking clarity on these changes.

For this reason, we urge the Administration to delay implementation of the Appendix PP Guidance to Surveyors for Long-Term Care Facilities. To give CMS ample time to communicate with nursing home providers about these changes, we recommend that the pause on external communications is lifted and the effective date of the changes to Appendix PP is set to a date in the future that is equal to the amount of time lost due to the communications pause. For example, were the Administration to end the

communications pause on March 1, the effective date of the Appendix PP revisions would be April 9 to accommodate the 40 days lost to the communications freeze. During this extended period, we would expect CMS to offer at least one public forum, such as a SNF Open Door Forum, during which to discuss these changes, as well as at least one call with stakeholder associations to address questions.

LeadingAge's nonprofit and like-minded mission-driven nursing home providers share the Administration's goal of providing the highest quality nursing home care for our nation's older adults. Please work with us to reach that goal through open communication and support.

Sincerely,

A handwritten signature in black ink that reads "Jodi Eyigor". The signature is written in a cursive, flowing style.

Jodi Eyigor

Senior Director, Nursing Home Quality & Policy

Cc: John Brooks, Chief Policy and Regulatory Officer and Deputy Administrator
Dora Hughes, MD, Chief Medical Officer and Director, Center for Clinical Standards & Quality
Evan Shulman, Director, Division of Nursing Homes

About LeadingAge: LeadingAge represents more than 5,400 nonprofit and mission-driven aging services providers and other organizations that touch millions of lives every day. Alongside our members and 36 partners in 41 states, we use advocacy, education, applied research, and community-building to make America a better place to grow old. Our membership encompasses the entire continuum of aging services, including skilled nursing, assisted living, memory care, affordable housing, retirement communities, adult day programs, community-based services, hospice, home-based care, and other organizations serving older adults, people with disabilities, and their families.