

CMS Response to Public Comments Received for CMS-102 and 105

The Centers for Medicare and Medicaid Services (CMS) received a comment from an Anonymous submitter from the State of New York related to CMS-102 and 105. This is the reconciliation of the comment.

Comment:

“This has the real potential to interfere with the relationship of the doctor and patient and will dissuade effective prescribing. In addition, it has the effect of precluding legal protections for the doctor before any adjudication. This is just wrong and a better solution needs to be found. Please do not proceed with this regulation.”

Response:

CMS forms 102 and 105 pertain to State, Local and Tribal Governments and are used for budgetary matters between those agencies and CMS. This comment is therefore outside of the scope for both forms.