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PRA
Supporting Statement for OMB Review

<h2 class="subtitle-western">Revisions to 42 CFR § 455.17 –
Medicaid Fraud and Abuse Reporting Requirements
OMB Control
No.0938 New | October
02, 2026</h2>

Supporting
Statement for Revisions to 42 CFR § 455.17 – Medicaid Fraud and Abuse

Reporting
Requirements (CMS-10992/0938-NEW)
<h1 class="western">PART A – JUSTIFICATION</h1>
<h2 class="western">1. Legal Basis and Circumstances</h2>
Section 1902(a)(68) of the Social Security Act requires State Medicaid agencies to operate a program integrity unit and to report fraud and abuse information to CMS. The existing regulations at 42 CFR § 455.17, promulgated in 1983 (48 FR 3756), require States to report specified data elements for each case of suspected provider fraud and abuse that warranted a full investigation.

CMS proposes to amend § 455.17(b) to require States to report nine additional data elements per qualifying case, and to expand the reporting options for case disposition under § 455.17(b)(6) to include administrative actions taken by the State Medicaid Agency (SMA). These revisions modernize a 40-year-old reporting framework to align with current fraud detection capabilities, data analytics, and cross-State information sharing.

The collection is mandatory. States must comply as a condition of receiving Federal Medicaid matching funds. CMS is requesting a new OMB control number.

<h2 class="western">2. Purpose and Use of the Information</h2>
CMS uses the information collected under § 455.17 to:

	
	Monitor
	State program integrity activities at the national level
	
	<font size="2" style="font-

size: 10pt">Identify
        emerging fraud schemes and national trends
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        <font size="2" style="font-
size: 10pt">Evaluate
        the financial impact of fraud and abuse on the Medicaid program</
font>
        <p style="letter-spacing: -0.1pt; line-height: 100%; margin-right: 0
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        <font size="2" style="font-
size: 10pt">Coordinate
        oversight activities among CMS, State Medicaid Agencies (SMAs),
        Medicaid Fraud Control Units (MFCUs), Unified Program Integrity
        Contractors (UPICs), managed care organizations (MCOs), and law
        enforcement entities
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        <font size="2" style="font-
size: 10pt">Hold
        States accountable for their program integrity operations<
/p>

The
proposed fourteen data elements – provider name and number, source
of complaint, type of provider, nature of complaint, approximate
dollar range, and legal/administrative disposition will provide
sufficient detail for effective national oversight. The proposed
fourteen data elements address specific data gaps that limit CMS's
ability to cross-reference cases, evaluate overpayment recovery, and
assess the full range of State program integrity actions.

Data
elements under § 455.17(b):

<font size="2" s
tyle="font-size: 10pt">(1)
The provider's name;<span s
tyle="letter-spacing: -0.1pt">
<font size="2" s
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The provider's National Provider Identifier (NPI), or Medicaid
provider identification number if the provider is ineligible to
receive an NPI under applicable Federal law;<font size="2" style="
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<font size="2" s
tyle="font-size: 10pt">(3)
The provider's Employer Identification Number or Taxpayer
Identification Number (EIN/TIN), if available;<font size="2" style
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nt>
<font size="2" s
tyle="font-size: 10pt">(4)
The State in which the investigation is being conducted;<font size
="2" style="font-size: 10pt"> <

/span>
<font size="2" s
tyle="font-size: 10pt">(5)
The source of the complaint;<font size="2" style="font-size: 10pt"
>
<font size="2" s
tyle="font-size: 10pt">(6)
The type of provider;<span
style="letter-spacing: -0.1pt">
<font size="2" s
tyle="font-size: 10pt">(7)
The type of service involved;<font size="2" style="font-size: 10pt
">
<font size="2" s
tyle="font-size: 10pt">(8)
The nature of the complaint;<font size="2" style="font-size: 10pt"
>
<font size="2" s
tyle="font-size: 10pt">(9)
The payor (for example, Fee-For-Service, managed care);<font s
ize="2" style="font-size: 10pt"> </
b>
<font size="2" s
tyle="font-size: 10pt">(10)
The relevant claim dates;<font size="2" style="font-size: 10pt
">
<font size="2" s
tyle="font-size: 10pt">(11)
The approximate time period covered by the investigation;

<font size="2" s
tyle="font-size: 10pt">(12)
The estimated overpayment amount and, where a final determination has
been made, the final overpayment amount;<font size="2" style="
font-size: 10pt">
<font size="2" s
tyle="font-size: 10pt">(13)
The investigation status; and<font size="2" style="font-size:
10pt"> </p
>
<font size="2" s
tyle="font-size: 10pt">(14)
The legal and administrative disposition of the case, including:</fon
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<font size="2" s
tyle="font-size: 10pt">(i)
Actions taken by law enforcement; and<font size="2" style="fon
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font>
<font size="2" s
tyle="font-size: 10pt">(ii)
Administrative actions taken by the State Medicaid agency, including
provider termination, payment suspension<font size="2" style="
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<span style="letter-spacing
: -0.1pt">(including
good cause exceptions identified under § 455.23), and overpayment

recovery status.</i><span s
tyle="letter-spacing: -0.1pt">

Expansion
of § 455.17(b)(6): States must also report administrative
actions taken by the SMA – including provider termination, payment
suspension (including good cause exceptions under § 455.23), and
overpayment recovery status – in addition to actions taken by law
enforcement.

<h2 class="western">3. Use of Information Technology</h2>
CMS
encourages States to submit required data electronically through
CMS-designated reporting systems. States that have automated case
management systems will be able to extract and format most of the
proposed additional data elements directly from existing case files,
minimizing manual data entry burden.

CMS
will assess opportunities to further reduce burden through
standardized electronic reporting templates and system-to-system data
exchange as implementation proceeds.

<h2 class="western">4. Duplication of Effort</h2>
CMS
has reviewed existing reporting channels – including Medicaid Fraud
Control Units (MFCU) annual reports<a class="sdfootnoteanc" name="sdfootnote1anc
" href="#sdfootnote1sym">¹,
UPIC reporting, and managed care encounter data – and determined
that the proposed data elements are not duplicative. The proposed
elements are specifically scoped to capture investigation-level
detail that is not systematically collected through any other
existing Federal reporting mechanism.

CMS
solicits comment on whether any proposed elements duplicate
information already reported through other channels.

<h2 class="western">5. Impact on Small Entities</h2>
This
collection applies to State Medicaid agencies, which are units of
State government. Small entities as defined under the Regulatory
Flexibility Act are not directly subject to this collection. No
significant impact on small businesses or other small entities is
anticipated.

<h2 class="western">6. Consequences of Less Frequent Collection</h2>
The existing § 455.17 reporting requirement is ongoing – States report data elements for each qualifying case as investigations are opened, updated, and closed. Reducing the frequency of reporting would impair CMS's ability to monitor active investigations, identify emerging fraud trends in a timely manner, and coordinate with law enforcement and program integrity partners. Less frequent collection is not a viable alternative.

<h2 class="western">7. Special Circumstances</h2>
There are no special circumstances associated with this collection. Reporting is consistent with the guidelines in 5 CFR 1320.5.

<h2 class="western">8. Federal Register Notice and Consultations</h2>
The Notice of Proposed Rulemaking published on November 19, 2026 (91 FR 74680). No outside consultations have been sought.

<h2 class="western">9. Payments or Gifts to Respondents</h2>
No payments or gifts are provided to respondents.

<h2 class="western">10. Confidentiality</h2>
Information collected under § 455.17 may contain sensitive law enforcement and investigative data. CMS handles all such information consistent with the Privacy Act of 1974, HHS information security policies, and applicable Federal and State confidentiality requirements. Data are used for program integrity oversight purposes and are not publicly disclosed in a form that would identify individual providers under investigation. The citation for the Systems of Record Notice is 09-70-0527.

<h2 class="western">11. Sensitive Questions</h2>
Some data elements – including provider identifiers (NPI, EIN/TIN) and overpayment amounts – are sensitive. Collection of these elements is necessary to fulfill the program integrity oversight purposes described in Item 2. CMS will handle all sensitive data consistent with applicable privacy and security requirements.

<h2 class="western">12. Burden Estimates</h2>
<h3 class="western">Background</h3>
The ICR burden associated with the proposed § 455.17(b) revisions represents the incremental burden on States of collecting, compiling, and reporting the fourteen data elements for each qualifying case.

Proposed § 455.17(a) is not being substantively revised and does not impose additional ICR burden.

<h3 class="western">Number of Respondents</h3>
All 50 States, the District of Columbia, and applicable territories are subject to this reporting requirement. CMS estimates 52 respondents.

Annual case volume ranges from 30 (low) to 100 (high) cases per State, with a mean of 65 cases per State.

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Cases
per State
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Total
Cases (52 States)
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Low
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30
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Mean
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65
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5,200
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<h3 class="western">Burden per Response</h3>
<font face="Frutiger LT Std 45 Light, serif">CMS estimates that it will take a State Medicaid agency official approximately 2.0 hours to compile and report the data elements for each qualifying case. Much of the required information — including claim dates, payor, and estimated overpayment amount — is likely already maintained by the State as part of existing investigation and case management processes and would primarily require compilation and formatting for submission to CMS rather than

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new data collection.</font></p>
<p class="western"><br/>

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<h3 class="western">Wage Rate</h3>
<p class="western"><font face="Frutiger LT Std 45 Light, serif">CMS
estimates that data will be compiled and submitted by a State
Medicaid program integrity official with an occupational
classification equivalent to a General and Operations Manager, based
on May 2025 Bureau of Labor Statistics (BLS) National Occupational
Employment and Wage Estimates<a class="sdfootnoteanc" name="sdfootnote2anc" href
="#sdfootnote2sym"><sup>2</sup></a>.</font></p>
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Fringe benefits and overhead (FBO) are calculated at 100% of the mean
hourly wage, consistent with standard OMB/CMS ICR practice, yielding
a fully loaded hourly rate of $129.74.</i></font></p>
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<h3 class="western">Annual Burden – Low Scenario (30 Cases per
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Data
                        Elements – § 455.17(b)</font></p>
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Burden (hrs.)</p>
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></font></p>
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</h3>
<h3 class="western"><br/>
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</h3>
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```
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tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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></font></p>
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ttom: 1.50pt solid #eac738; border-left: 1px dotted #eac738; border-right: 1px d
otted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <br/>

                        </p>
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tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif"><b>10,400</
b></font></p>
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tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <br/>

                        </p>
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 solid #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif"><b>$1,349,2
96.00</b></font></p>
                </td>
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</table>
<h3 class="western">Cross-Scenario Summary</h3>
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        <col width="85"/>
        <col width="71"/>
        <col width="115"/>
        <col width="53"/>
        <col width="57"/>
        <col width="89"/>
```

```
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der-top: 1.50pt solid #eac738; border-bottom: 1px dotted #eac738; border-left: 1
.50pt solid #eac738; border-right: 1px dotted #eac738; padding: 0.06in 0.08in"><
p class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Scenario</b></font></font></p>
                </td>
                <td width="85" bgcolor="#00529c" style="background: #00529c; bor
der-top: 1.50pt solid #eac738; border-bottom: 1px dotted #eac738; border-left: 1
px dotted #eac738; border-right: 1px dotted #eac738; padding: 0.06in 0.08in"><p
class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Respondents</b></font></font></p>
                </td>
                <td width="71" bgcolor="#00529c" style="background: #00529c; bor
der-top: 1.50pt solid #eac738; border-bottom: 1px dotted #eac738; border-left: 1
px dotted #eac738; border-right: 1px dotted #eac738; padding: 0.06in 0.08in"><p
class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Responses</b></font></font></p>
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1px dotted #eac738; border-right: 1px dotted #eac738; padding: 0.06in 0.08in"><p
 class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Burden/Response
                        (hrs.)</b></font></font></p>
                </td>
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der-top: 1.50pt solid #eac738; border-bottom: 1px dotted #eac738; border-left: 1
px dotted #eac738; border-right: 1px dotted #eac738; padding: 0.06in 0.08in"><p
class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Total
                        Burden (hrs.)</b></font></font></p>
                </td>
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der-top: 1.50pt solid #eac738; border-bottom: 1px dotted #eac738; border-left: 1
px dotted #eac738; border-right: 1px dotted #eac738; padding: 0.06in 0.08in"><p
class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Hourly
                        Wage w/ FBO</b></font></font></p>
                </td>
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der-top: 1.50pt solid #eac738; border-bottom: 1px dotted #eac738; border-left: 1
px dotted #eac738; border-right: 1.50pt solid #eac738; padding: 0.06in 0.08in"><
p class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Total
                        Annual Cost</b></font></font></p>
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tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">Low (30 cas
```

```
es/State)</font></p>
                </td>
                <td width="85" style="border: 1px dotted #eac738; padding: 0.06i
n 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">52</font></
p>
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n 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">1,560</font
></p>
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in 0.08in"><p class="western" align="left">
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/p>
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n 0.08in"><p class="western" align="left">
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></p>
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                <td width="57" style="border: 1px dotted #eac738; padding: 0.06i
n 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">$129.74</fo
nt></p>
                </td>
                <td width="89" style="border-top: 1px dotted #eac738; border-bot
tom: 1px dotted #eac738; border-left: 1px dotted #eac738; border-right: 1.50pt s
olid #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">$404,788.80
</font></p>
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tom: 1px dotted #eac738; border-left: 1.50pt solid #eac738; border-right: 1px do
tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">Mean (65 ca
ses/State)</font></p>
                </td>
                <td width="85" style="border: 1px dotted #eac738; padding: 0.06i
n 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">52</font></
p>
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                <td width="71" style="border: 1px dotted #eac738; padding: 0.06i
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                        <font face="Frutiger LT Std 45 Light, serif">3,380</font
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/p>
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                <td width="53" style="border: 1px dotted #eac738; padding: 0.06i
n 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">6,760</font
></p>
```

```
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n 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">$129.74</fo
nt></p>
                </td>
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tom: 1px dotted #eac738; border-left: 1px dotted #eac738; border-right: 1.50pt s
olid #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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</font></p>
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dotted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">High (100
                        cases/State)</font></p>
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                        <font face="Frutiger LT Std 45 Light, serif">52</font></
p>
                </td>
                <td width="71" style="border-top: 1px dotted #eac738; border-bot
tom: 1.50pt solid #eac738; border-left: 1px dotted #eac738; border-right: 1px do
tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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></p>
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otted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">2.0</font><
/p>
                </td>
                <td width="53" style="border-top: 1px dotted #eac738; border-bot
tom: 1.50pt solid #eac738; border-left: 1px dotted #eac738; border-right: 1px do
tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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t></p>
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tted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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nt></p>
                </td>
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 solid #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">$1,349,296.
00</font></p>
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<p class="western" align="left">
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ht, serif"><b>Scenario</b></font></font></p>
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 class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Cases
                        per State</b></font></font></p>
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 class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Burden
                        Hours per State</b></font></font></p>
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1px dotted #eac738; border-right: 1.50pt solid #eac738; padding: 0.06in 0.08in">
<p class="western" align="left">
                        <font color="#ffffff"><font face="Frutiger LT Std 45 Lig
ht, serif"><b>Cost
                        per State</b></font></font></p>
                </td>
        </tr>
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ttom: 1px dotted #eac738; border-left: 1.50pt solid #eac738; border-right: 1px d
otted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">Low</font><
/p>
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p>
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font></p>
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solid #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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font></p>
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```

```
        </tr>
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ttom: 1px dotted #eac738; border-left: 1.50pt solid #eac738; border-right: 1px d
otted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">Mean</font>
</p>
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p>
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in 0.08in"><p class="western" align="left">
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/font></p>
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/font></p>
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 dotted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">High</font>
</p>
                </td>
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otted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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/p>
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otted #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
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/font></p>
                </td>
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t solid #eac738; padding: 0.06in 0.08in"><p class="western" align="left">
                        <font face="Frutiger LT Std 45 Light, serif">$25,948.00<
/font></p>
                </td>
        </tr>
</table>
<h2 class="western">13. Capital and Start-Up Costs</h2>
<p class="western"><font face="Frutiger LT Std 45 Light, serif">CMS
does not anticipate significant capital or start-up costs for
respondents. Most States already maintain case management systems
that capture the majority of the proposed additional data elements as
part of existing investigation processes. Any system modifications
needed to format and transmit the additional elements are expected to
be minimal and are not separately estimated at this time.</font></p>
```


CMS
solicits comments on whether States anticipate capital or start-up
costs associated with implementing the proposed reporting
requirements.

<h2 class="western">14. Federal Government Costs</h2>
CMS
will incur costs associated with receiving, processing, and analyzing
the additional data submitted under the revised § 455.17(b)
requirements. These costs include:

        <p style="letter-spacing: -0.1pt; line-height: 100%; margin-right: 0
.8in; margin-top: 0.08in; margin-bottom: 0.04in">
        <font size="2" style="font-
size: 10pt">System
        development or modification to receive and store additional data
        elements
        <p style="letter-spacing: -0.1pt; line-height: 100%; margin-right: 0
.8in; margin-top: 0.08in; margin-bottom: 0.04in">
        <font size="2" style="font-
size: 10pt">Staff
        time to review, validate, and analyze submitted data </
li>
        <p style="letter-spacing: -0.1pt; line-height: 100%; margin-right: 0
.8in; margin-top: 0.08in; margin-bottom: 0.04in">
        <font size="2" style="font-
size: 10pt">Development
        of reporting templates and guidance for States

CMS
estimates Federal government cost at approximately $86,659<a class="sdfootnotean
c" name="sdfootnote3anc" href="#sdfootnote3sym">³
annually. This estimate will be refined as system requirements are
finalized.

<h2 class="western">15. Changes in Burden</h2>
This
is a new information collection request.

<h2 class="western">16. Publication Plans</h2>
CMS
does not plan to publish the individual case-level data collected
under § 455.17 in a form that identifies individual providers under
investigation. CMS may publish aggregate national and State-level
statistics on Medicaid fraud and abuse investigations in annual
program integrity reports and other public documents.

<h2 class="western">17. Expiration Date Display</h2>

CMS
will display the OMB control number and expiration date on all data
collection instruments and reporting templates associated with this
collection, consistent with 5 CFR 1320.5(b)(1).

<h2 class="western">18. Certification</h2>
There
are no objections to the certification statement.

<a class="sdfootnotesym" nam
e="sdfootnote1sym" href="#sdfootnote1anc">1
        MFCU Annual Reports <u><a href="https://oig.hhs.go
v/reports/all/?hhs-agency=MFCU#results">OIG
        Reports</u>

<a class="sdfootnotesym" nam
e="sdfootnote2sym" href="#sdfootnote2anc">2
        <u><a href="https://data.bls.gov/oes/#/area/000000
0/2025">https://data.bls.gov/oes/#/area/0000000/2025</u>

<a class="sdfootnotesym" nam
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        GS 12 Step 5 Annual Salary
        <u><a href="https://www.opm.gov/policy-data-oversi
ght/pay-leave/salaries-wages/salary-tables/pdf/2026/GS.pdf">https://www.opm.gov/
policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2026/GS.pdf
</u>

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