



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services Statement of Delegation of Authority

Notice is hereby given that I have delegated to the Administrator, Centers for Medicare & Medicaid Services (CMS), the authorities vested in the Secretary of Health and Human Services under section 1128(b) of the Social Security Act. This delegation revises the limitations from the March 14, 2011, delegation of authority (76 FR 13618), which superseded the September 6, 1984, DOA as to Section F.50.—Limitations of Authority, subsection (1)(c).

CMS requested that the permissive exclusion authority under Section 1128(b) of the SSA be formally delegated to the CMS Administrator. As the agency directly responsible for administering Medicare and Medicaid, CMS is uniquely positioned to investigate, identify, and develop the evidentiary basis underpinning permissive exclusion determinations. Formalizing this delegation aligns investigative and enforcement responsibilities within a single operating division, reducing redundancy and improving program integrity outcomes.

This delegation will be exercised in accordance with the Department's applicable policies, procedures, guidelines, and regulations. These authorities may be redelegated. Excluded from this delegation is the authority to conduct hearings and to issue regulations. This delegation does not affect or diminish the Secretary's previous delegation of these authorities to the Inspector General of the Department of Health and Human Services under 53 FR 12993 (Apr. 20, 1988), nor does it affect any actions taken pursuant to that earlier delegation.

All redelegations and edits to this authority are required to be reviewed by the Division of Performance and Organizational Programs, Office of Human Capital, CMS, or its successor. Exercise of this authority is in accordance with established policies, procedures, guidelines, and regulations as prescribed by the Secretary. The Secretary retains the authority to submit reports to Congress and promulgate regulations.

This delegation is effective immediately. I affirm and ratify any actions taken by the Administrator or subordinates that involve the exercise of the authorities delegated therein prior to the effective date of the delegation.

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Robert F. Kennedy, Jr.,  
Secretary

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