

SUBCHAPTER C—ADMINISTRATIVE DATA STANDARDS AND RELATED REQUIREMENTS

PART 160—GENERAL ADMINISTRATIVE REQUIREMENTS

Subpart A—General Provisions

- Sec.
- 160.101 Statutory basis and purpose.
- 160.102 Applicability.
- 160.103 Definitions.
- 160.104 Modifications.
- 160.105 Compliance dates for implementation of new or modified standards and implementation specifications.

Subpart B—Preemption of State Law

- 160.201 Statutory basis.
- 160.202 Definitions.
- 160.203 General rule and exceptions.
- 160.204 Process for requesting exception determinations.
- 160.205 Duration of effectiveness of exception determinations.

Subpart C—Compliance and Investigations

- 160.300 Applicability.
- 160.302 [Reserved]
- 160.304 Principles for achieving compliance.
- 160.306 Complaints to the Secretary.
- 160.308 Compliance reviews.
- 160.310 Responsibilities of covered entities.
- 160.312 Secretarial action regarding complaints and compliance reviews.
- 160.314 Investigational subpoenas and inquiries.
- 160.316 Refraining from intimidation or retaliation.

Subpart D—Imposition of Civil Money Penalties

- 160.400 Applicability.
- 160.401 Definitions.
- 160.402 Basis for a civil money penalty.
- 160.404 Amount of a civil money penalty.
- 160.406 Violations of an identical requirement or prohibition.
- 160.408 Factors considered in determining the amount of a civil money penalty.
- 160.410 Affirmative defenses.
- 160.412 Waiver.
- 160.414 Limitations.
- 160.416 Authority to settle.
- 160.418 Penalty not exclusive.
- 160.420 Notice of proposed determination.
- 160.422 Failure to request a hearing.
- 160.424 Collection of penalty.
- 160.426 Notification of the public and other agencies.

Subpart E—Procedures for Hearings

- 160.500 Applicability.
- 160.502 Definitions.
- 160.504 Hearing before an ALJ.
- 160.506 Rights of the parties.
- 160.508 Authority of the ALJ.
- 160.510 Ex parte contacts.
- 160.512 Prehearing conferences.
- 160.514 Authority to settle.
- 160.516 Discovery.
- 160.518 Exchange of witness lists, witness statements, and exhibits.
- 160.520 Subpoenas for attendance at hearing.
- 160.522 Fees.
- 160.524 Form, filing, and service of papers.
- 160.526 Computation of time.
- 160.528 Motions.
- 160.530 Sanctions.
- 160.532 Collateral estoppel.
- 160.534 The hearing.
- 160.536 Statistical sampling.
- 160.538 Witnesses.
- 160.540 Evidence.
- 160.542 The record.
- 160.544 Post hearing briefs.
- 160.546 ALJ's decision.
- 160.548 Appeal of the ALJ's decision.
- 160.550 Stay of the Secretary's decision.
- 160.552 Harmless error.

AUTHORITY: 42 U.S.C. 1302(a); 42 U.S.C. 1320d-1320d-9; sec. 264, Pub. L. 104-191, 110 Stat. 2033-2034 (42 U.S.C. 1320d-2 (note)); 5 U.S.C. 552; secs. 13400-13424, Pub. L. 111-5, 123 Stat. 258-279; and sec. 1104 of Pub. L. 111-148, 124 Stat. 146-154.

SOURCE: 65 FR 82798, Dec. 28, 2000, unless otherwise noted.

Subpart A—General Provisions

§ 160.101 Statutory basis and purpose.

The requirements of this subchapter implement sections 1171-1180 of the Social Security Act (the Act), sections 262 and 264 of Public Law 104-191, section 105 of Public Law 110-233, sections 13400-13424 of Public Law 111-5, and section 1104 of Public Law 111-148.

[78 FR 5687, Jan. 25, 2013]

§ 160.102 Applicability.

(a) Except as otherwise provided, the standards, requirements, and implementation specifications adopted under