

William Kent
President and Chief Executive Officer
The Matheny Medical And Educational Center
PO Box 339
Peapack, NJ 07977-0339

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DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mailstop: C5-15-12
Baltimore, Maryland 21244-1850

Center for Medicare



November 25, 2024

William Kent
President and Chief Executive Officer
The Matheny Medical And Educational Center
PO Box 339
Peapack, NJ 07977-0339

Reference Number: 66972024

Location:
The Matheny Medical And Educational Center
65 Highland Ave
Peapack, NJ 07977-0339

RE: Hospital Price Transparency Notice of Violation and Request for Corrective Action Plan

Dear William Kent,

The Centers for Medicare & Medicaid Services (CMS) issues this notice of violation because it has determined that The Matheny Medical And Educational Center meets the definition of a hospital specified at 45 CFR §180.20 and is noncompliant with the price transparency requirements for hospitals to make standard charges public.

We determined via a review of <http://www.matheny.org>, completed on November 25, 2024, that your hospital is noncompliant with requirements to make standard charges public under 45 CFR part 180 (<https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-E/part-180>). **Your hospital must submit a Corrective Action Plan (CAP) within 45 calendar days of the date of this notice, and correct the material violation(s) identified by CMS within 90 calendar days of the date of this notice.** All current material violations are listed below and require corrective action.

Comprehensive Machine-Readable File Requirements

Each hospital must make public a machine-readable file containing a list of all standard charges for all items and services as provided in § 180.50. (45 CFR §180.40(a)).

Violations

CMS has determined, after review of the publicly available website referenced above that The Matheny Medical And Educational Center is in violation of the requirements to make public its list of

standard charges as specified at 45 CFR §180.50. Your hospital's violations include:

1. Failure to ensure that the public website the hospital selected to host its machine-readable file establishes and maintains, in the form and manner specified by CMS a .txt file in the root folder as required by 45 CFR 180.50(d)(6)(i).
2. Failure to ensure that the public website the hospital selected to host its machine-readable file establishes and maintains a link in the footer on its website that is labeled "Price Transparency" and links directly to the publicly available web page that hosts the link to the machine-readable file as required by 45 CFR 180.50(d)(6)(ii)
3. Failure to make public a machine-readable file containing a list of all standard charges for all items and services online as required at 45 CFR §180.40(a) and 45 CFR §180.50(a). Specifically, no online machine-readable file was found.

Displaying Shoppable Services in a Consumer-Friendly Manner Requirements

Each hospital must make public a consumer-friendly list of standard charges for a limited set of shoppable services as provided in § 180.60. (45 CFR §180.40(b))

Violations

CMS has determined, after review of the publicly available website referenced above that The Matheny Medical And Educational Center is in violation of the requirements to make public a consumer-friendly list of standard charges as specified at 45 CFR §180.60. Your hospital's violations include:

1. Failure to make available a consumer-friendly list of standard charges for a limited set of shoppable services as provided in 45 CFR §180.60, as required at 45 CFR §180.40(b). Specifically, no consumer-friendly list of standard charges was found.

Actions Your Hospital Must Take

Pursuant to 45 CFR part 180 subpart C, CMS requires that your hospital submit a Corrective Action Plan (CAP) within 45 calendar days of the date of this notice¹. The CAP may follow the format of the Hospital Price Transparency Corrective Action Plan Response Sample that you may access online at <https://www.cms.gov/priorities/key-initiatives/hospital-price-transparency/resources>. At a minimum, your hospital's CAP must include the following elements for each material violation identified by CMS in this notice: (i) specify the corrective actions or processes your hospital will take to address the material violation identified by CMS, (ii) specify the timeframe by which your hospital will complete the corrective action, which is not to exceed 90 calendar days from the date of this notice², (iii) provide a contact person responsible for the corrective action plan; and be signed and dated by the Chief Executive Officer/President of the hospital.

Additionally, CMS requests your hospital acknowledge receipt of the request for CAP by emailing the Hospital Price Transparency inbox at HPTCompliance@cms.hhs.gov within 5 business days of the date of this notice. Please include your hospital's CEO/President name, title, e-mail, and phone number. In addition, if your CEO/President will not be the official representative communicating with CMS regarding this matter, please also include the designee's name, title, e-mail, and phone number.

Submit the completed CAP via email to HPTCompliance@cms.hhs.gov with the following subject line: "The Matheny Medical And Educational Center – Hospital Price Transparency CAP – 66972024." If the attachment(s) to any single email is large, please use a zip file.

The CAP is subject to CMS review and approval. CMS will review the CAP submitted by your hospital and notify you via e-mail if the CAP is acceptable or we may request additional information and modifications to the submitted CAP. CMS will **not** approve a CAP with a proposed completion deadline that exceeds 90 calendar days from the date of this notice. Approval of a CAP does not preclude us from requesting additional corrective action(s) as necessary. If your hospital fails to respond to CMS' request to submit a CAP, as described in § 180.80(d), and continues to be out of compliance with the hospital price transparency regulations, CMS will impose a civil monetary penalty (CMP) and publicize the notice of imposition of the CMP on a CMS website in accordance with § 180.90.

Your hospital **must** correct the violation(s) identified by CMS within 90 calendar days of the date of this notice. If your hospital continues to be out of compliance with the hospital price transparency regulations after 90 calendar days, CMS will impose a CMP and publicize the notice of imposition of the CMP on a CMS website in accordance with § 180.90.

It is incumbent upon the hospital to be in full compliance with all requirements of 45 CFR 180, including updates to the regulation made in the Hospital Price Transparency CY 2024 Hospital Outpatient Prospective Payment System and Ambulatory Surgical Center Payment System Final Rule, <https://www.federalregister.gov/documents/2023/11/22/2023-24293/medicare-program-hospital-outpatient-prospective-payment-and-ambulatory-surgical-center-payment>. Nothing in this notice indicates a determination of compliance with respect to any other requirements not explicitly addressed in this notice.

Additional Resources

CMS finalized new Hospital Price Transparency requirements in the CY 2024 Hospital OPDS and ASC Payment System Final Rule (88 FR 81540). For additional information, please review this Fact Sheet at <https://www.cms.gov/newsroom/fact-sheets/hospital-price-transparency-fact-sheet> and the information on our website at <https://www.cms.gov/priorities/key-initiatives/hospital-price-transparency> including the following resources:

Hospital Price Transparency – Data Dictionary GitHub repository at <https://github.com/CMSgov/hospital-price-transparency>

On this repository you can:

- Access the CMS templates and data dictionary with technical instructions for encoding required standard charge information.
- Get technical support.

Hospital Price Transparency Tools GitHub at <https://cmsgov.github.io/hpt-tool/>

On this repository you can:

- Use a validator to test machine readable files against the required CMS template layouts and data specifications 45 CFR 180.50(c)(2).

- Access requirements and technical specifications for the TXT file, as well as an example TXT file.
- Use the TXT file generator tool to create the required TXT file 45 CFR 180.50(d)(6).
- Use the MRF file naming tool to create a compliant naming convention for your MRF 45 CFR 180.50(d)(5).

FAQs (<https://www.cms.gov/files/document/hospital-price-transparency-frequently-asked-questions.pdf>)

TXT file FAQs (<https://www.cms.gov/files/document/hospital-price-transparency-txt-file-frequently-asked-questions-faqs.pdf>)

Steps to a Machine-readable File (<https://www.cms.gov/files/document/steps-machine-readable-file.pdf>)

10 Steps to a Consumer-Friendly Display (<https://www.cms.gov/files/document/steps-making-public-standard-charges-shoppable-services.pdf>)

If you have questions, please contact us at HPTCompliance@cms.hhs.gov. We appreciate your prompt attention to this matter.

¹ If the 45th day is a weekend or a Federal holiday, then the timeframe is extended until the end of the next business day.

² If the 90th day is a weekend or a Federal holiday, then the timeframe is extended until the end of the next business day.

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