

42 C.F.R. § 489.66

Additional requirements of the surety bond.

The surety bond that an HHA obtains under this subpart must meet the following additional requirements:

- (a) The bond must guarantee that within 30 days of receiving written notice from CMS of an unpaid claim or unpaid civil money penalty or assessment, which notice contains sufficient evidence to establish the Surety's liability under the bond, the Surety will pay CMS, up to the stated amount of the bond—
 - (1) The full amount of any unpaid claim, plus accrued interest, for which the HHA is responsible; and
 - (2) The full amount of any unpaid civil money penalty or assessment imposed by CMS on the HHA, plus accrued interest.
- (b) The bond must provide the following:
 - (1) The Surety is liable for unpaid claims, unpaid civil money penalties, and unpaid assessments that are discovered when the surety bond is in effect, regardless of when the payment, overpayment, or other event giving rise to the claim, civil money penalty, or assessment occurred, provided CMS makes a written demand for payment from the Surety during, or within 90 days after, the term of the bond.

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)