
42 C.F.R. § 493.1814

Action when deficiencies are at the condition level but do not pose immediate jeopardy.

If a laboratory has condition level deficiencies that do not pose immediate jeopardy, the following rules apply:

- (a) *Initial action.* (1) CMS may cancel the laboratory's approval to receive Medicare payment for its services.
- (2) CMS may suspend, limit, or revoke the laboratory's CLIA certificate.
- (3) If CMS does not impose a principal sanction under paragraph (a)(1) or (a)(2) of this section, it imposes one or more alternative sanctions. In the case of unsuccessful participation in proficiency testing, CMS may impose the training and technical assistance requirement set forth at § 493.1838 in lieu of, or in addition to, one or more alternative sanctions.

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