

## **Section 422 of the MMA, “Redistribution of Unused Residency Positions”**

Section 1886(h)(4)(F) of the Social Security Act established limits on the number of allopathic and osteopathic residents that hospitals may count for purposes of calculating direct GME payments. For most hospitals, the limit is the number of allopathic and osteopathic full-time equivalent (FTE) residents training in the hospital's most recent cost reporting period ending on or before December 31, 1996. While Medicare makes direct GME and IME payments for the number of FTE residents, up to the hospital's FTE caps, there are a number of hospitals that have reduced their resident counts to a level below their caps. Section 422 of the P. L. 108-173 redistributes 75 percent of each hospital's “unused” resident positions.

Under section 1886 of the Medicare statute as amended by section 422 of the Medicare Modernization Act (MMA), teaching hospitals were allowed to request up to an additional 25 FTEs from the total pool as a cap on the number of residents allowed for purposes of direct and indirect graduate medical education payments under Medicare. By statute, CMS must redistribute the estimated pool of unused slots in the following priority order: first to rural hospitals, second to urban hospitals not located in large urban areas, and third to hospitals training residents in a program that is the only program in the state. The provision was effective for portions of cost reporting periods beginning on or after July 1, 2005.

CMS received approximately 1,800 program-specific applications from over 540 providers requesting approximately 7,000 additional FTE slots. Each application went through a multi-tiered review process in which CMS ensured that consistent standards were applied to each request for additional FTEs.

CMS sent out letters on Friday June 24, 2005, by overnight mail, notifying hospitals in regards to the status of CMS' review of their applications for an increase in their full-time equivalent resident caps. Since the statute states that there will be no administrative or judicial review of a final determination, hospitals were asked to check the information in the status letter, dated June 23, 2005, to ensure no clerical errors were made by CMS. As specified in the MMA, the final determination will not be subject to appeals.

The following is a list of each hospital (by its Medicare provider number) that applied for additional FTE slots under Section 422 along with the number of Direct Graduate Medical Education (DME) and Indirect Graduate Medical Education (IME) slots awarded to the hospital. The effective date of this slot allocation is July 1, 2005. Please see the August 11, 2004 Federal Register pg. 49088 (IME) and pg. 49153 (DGME) for a discussion of how CMS will pay the hospital for FTE residents counted by the hospital under this provision.

**Section 422 Cap Increases of the P.L. 108-173 under  
Section 1886 (h)(7)(B) of the Act**

Provider No.	IME	DME
01-0033	24.00	24.00
01-0039	7.84	-
01-0087	-	-
01-0092	6.08	1.92
01-0118	2.68	2.68
01-0152	21.66	21.76
01-3301	-	25.00
02-0001	1.00	1.00
03-0002	-	-
03-0024	-	-
03-0061	-	1.90
03-0064	25.00	25.00
03-0103	8.02	18.81
03-3302	-	-
04-0004	1.08	1.08
04-0016	25.00	25.00
04-0020	7.36	7.36
04-0022	4.50	4.50
04-0055	1.85	-
04-0071	10.19	8.78
04-0088	2.35	2.35
04-3300	-	16.57
05-0025	-	-
05-0040	0.03	23.77
05-0063	-	-
05-0103	-	-
05-0112	0.02	12.99
05-0245	19.00	19.00
05-0262	21.00	25.00
05-0277	6.00	6.00
05-0280	2.00	-
05-0292	-	-
05-0315	15.00	15.00
05-0327	-	-
05-0424	-	-
05-0438	-	-
05-0441	-	-
05-0444	6.16	6.16
05-0454	-	-
05-0457	-	-
05-0470	3.74	4.44
05-0502	-	-

05-0584	-	-
05-0599	0.01	5.70
05-0660	-	-
05-0696	-	-
05-3301	-	-
05-3303	-	-
05-3305	-	15.36
05-4009	-	14.23
05-4093	-	-
06-0001	6.00	3.00
06-0010	3.15	-
06-0011	-	-
06-0012	3.60	1.09
06-0023	4.47	1.06
06-0024	-	-
06-0028	-	-
06-0031	0.43	0.43
06-0104	-	-
06-3301	-	2.00
07-0001	1.01	5.09
07-0002	0.02	12.14
07-0006	16.52	14.50
07-0007	-	-
07-0010	9.56	9.56
07-0016	25.00	25.00
07-0022	10.29	25.00
07-0025	-	-
07-0033	18.33	12.99
07-0034	3.64	3.64
07-0035	-	-
07-0036	2.24	23.88
08-0001	25.00	25.00
08-0003	-	-
09-0004	-	-
09-0011	0.03	17.11
10-0001	-	-
10-0006	-	-
10-0007	0.01	1.57
10-0015	12.00	11.37
10-0017	5.91	4.92
10-0022	6.01	9.80
10-0032	-	-
10-0034	-	-
10-0038	-	-
10-0040	-	-
10-0088	2.00	-
10-0113	25.00	25.00
10-0128	-	-

10-0151	-	-
10-0187	-	-
10-0284	-	-
10-0289	-	1.90
10-3300	-	-
11-0007	4.83	3.26
11-0010	8.00	8.00
11-0034	25.00	25.00
11-0036	7.00	7.00
11-0107	10.26	6.79
11-0203	-	-
11-0219	5.91	5.91
11-3300	-	-
11-3301	-	7.37
12-0001	18.96	18.96
12-0004	5.49	2.20
12-0022	0.12	0.12
12-3300	-	0.89
13-0006	-	-
13-0007	4.14	4.14
13-0028	2.88	0.73
14-0010	-	-
14-0051	-	-
14-0054	-	-
14-0067	25.00	25.00
14-0088	-	-
14-0091	25.00	25.00
14-0094	-	-
14-0113	1.19	1.99
14-0114	-	-
14-0117	-	-
14-0119	-	-
14-0127	-	-
14-0135	7.20	5.82
14-0148	14.30	-
14-0150	-	-
14-0164	7.00	-
14-0172	-	-
14-0177	-	-
14-0180	-	-
14-0187	-	-
14-0209	8.00	5.66
14-0276	-	-
14-0281	-	2.61
15-0017	3.00	3.70
15-0021	1.80	3.50
15-0023	8.45	5.75
15-0024	-	-

15-0047	4.00	5.00
15-0056	2.00	2.00
15-0082	2.22	-
15-0084	0.02	12.89
15-0089	4.00	4.00
16-0024	4.92	0.51
16-0033	3.08	-
16-0045	5.76	3.66
16-0058	25.00	25.00
16-0064	-	-
16-0082	15.00	2.17
16-0083	6.00	6.00
16-0101	-	3.31
16-0110	1.36	0.96
17-0012	4.19	4.11
17-0040	25.00	25.00
17-0122	5.08	-
17-0123	9.64	-
18-0029	-	-
18-0037	-	-
18-0040	-	-
18-0067	25.00	25.00
18-0141	-	-
19-0005	-	-
19-0036	-	2.00
19-0098	25.00	25.00
19-0111	2.52	2.52
19-0135	-	-
19-0146	-	-
19-0176	-	-
19-3300	-	-
20-0008	3.29	3.29
20-0009	24.80	23.80
20-0019	3.00	3.00
20-0024	1.33	1.33
21-0024	-	-
21-3301	-	2.91
22-0002	-	-
22-0010	10.15	4.69
22-0011	25.00	25.00
22-0031	1.03	23.82
22-0036	-	-
22-0046	8.00	16.00
22-0067	-	-
22-0070	-	-
22-0071	7.02	23.16
22-0077	25.00	25.00
22-0083	-	-

22-0086	-	0.63
22-0089	-	-
22-0101	-	-
22-0110	3.00	3.71
22-0116	-	-
22-0119	0.02	-
22-0171	-	-
22-2035	-	1.00
22-3302	-	25.00
23-0004	1.75	1.11
23-0017	25.00	25.00
23-0019	-	-
23-0020	-	-
23-0029	-	-
23-0038	-	-
23-0041	2.00	2.00
23-0046	25.00	25.00
23-0047	-	-
23-0059	-	-
23-0070	19.25	6.53
23-0077	5.73	5.73
23-0117	24.00	25.00
23-0132	5.00	4.75
23-0156	5.00	5.00
23-0165	-	-
23-0167	12.41	6.71
23-0197	-	-
23-0207	2.93	2.56
23-0223	-	-
23-0227	-	-
23-0230	25.00	25.00
23-0236	-	-
23-0244	0.01	9.86
23-0273	-	-
23-0277	-	-
24-0001	-	-
24-0004	5.16	15.51
24-0010	25.00	25.00
24-0061	21.16	21.82
24-0080	-	1.90
24-0093	7.44	8.13
24-3300	-	-
24-4009	-	3.15
25-0001	25.00	25.00
26-0021	-	-
26-0022	-	-
26-0032	-	-
26-0040	6.93	3.25

26-0048	-	2.85
26-0074	-	-
26-0085	-	-
26-0091	1.00	1.00
26-0102	-	-
26-0105	1.73	23.85
26-0137	15.51	12.31
26-0141	20.00	12.00
26-0176	-	-
26-3302	-	-
28-0013	25.00	25.00
28-0020	0.46	2.63
28-3301	-	8.86
29-0001	10.00	10.00
29-0003	-	-
29-0007	25.00	25.00
30-0001	8.00	8.00
30-0003	21.00	21.00
31-0001	-	-
31-0002	-	0.95
31-0005	-	-
31-0010	9.20	8.20
31-0014	6.39	22.36
31-0015	0.03	18.06
31-0019	0.02	15.54
31-0021	12.29	11.48
31-0027	-	-
31-0038	7.00	8.00
31-0039	-	-
31-0064	1.72	0.70
31-0073	-	-
31-0075	-	-
31-0076	-	-
31-0081	-	-
31-0090	-	-
31-0096	-	-
31-0108	-	-
31-0119	6.03	24.06
32-0001	25.00	25.00
32-0002	8.00	8.00
32-0006	4.00	4.00
32-0018	0.96	12.11
33-0002	0.01	8.03
33-0004	8.43	8.43
33-0005	-	-
33-0006	-	-
33-0009	-	-
33-0014	-	-

33-0024	25.00	25.00
33-0043	-	-
33-0046	-	-
33-0055	-	-
33-0059	-	-
33-0072	-	-
33-0078	-	-
33-0101	0.04	23.77
33-0103	-	1.77
33-0106	-	-
33-0119	-	-
33-0125	0.01	3.45
33-0152	-	-
33-0153	0.61	0.50
33-0154	-	3.60
33-0160	-	-
33-0164	-	-
33-0167	-	-
33-0169	-	-
33-0181	-	-
33-0184	0.01	4.75
33-0193	-	-
33-0194	-	-
33-0195	-	-
33-0196	-	-
33-0198	-	-
33-0201	-	2.77
33-0202	-	-
33-0204	-	-
33-0214	0.02	7.40
33-0221	0.01	3.36
33-0224	3.70	4.00
33-0225	-	2.10
33-0230	-	-
33-0233	-	-
33-0234	-	-
33-0236	0.01	3.80
33-0241	25.00	25.00
33-0246	-	-
33-0270	5.00	2.50
33-0285	-	-
33-0286	-	-
33-0306	-	-
33-0331	-	-
33-0353	-	-
33-0354	-	-
33-0372	-	-
33-0390	-	-



33-0393	-	-
33-0394	2.00	2.00
33-0395	-	-
33-0396	-	-
33-0399	-	-
34-0002	8.68	2.00
34-0017	1.13	1.13
34-0030	25.00	25.00
34-0040	25.00	25.00
34-0047	10.00	10.00
34-0061	25.00	25.00
34-0091	9.00	9.00
34-0113	-	-
34-0141	8.98	7.73
34-0155	5.76	6.67
34-0159	0.39	0.39
34-3026	-	-
35-0002	2.67	2.04
35-0011	1.82	2.20
35-0015	4.33	2.19
36-0003	-	-
36-0006	-	0.95
36-0012	-	-
36-0020	12.80	12.80
36-0025	9.77	8.75
36-0027	15.13	8.16
36-0035	-	-
36-0048	-	-
36-0051	18.50	16.19
36-0052	7.00	3.14
36-0059	0.01	15.21
36-0062	-	-
36-0070	1.00	1.00
36-0075	-	-
36-0077	-	-
36-0079	7.85	4.80
36-0084	13.30	9.80
36-0085	-	-
36-0101	-	0.17
36-0112	24.56	25.00
36-0133	-	-
36-0134	-	-
36-0137	-	-
36-0141	6.60	5.75
36-0144	1.43	-
36-0150	5.61	5.61
36-0151	-	-
36-0152	-	-

36-0161	-	6.00
36-0179	-	-
36-0180	-	-
36-3300	-	10.00
36-3302	-	-
36-3305	-	-
36-3307	-	5.18
37-0001	25.00	5.17
37-0014	-	-
37-0037	-	-
37-0078	25.00	11.47
37-0091	13.78	4.75
37-0093	19.37	23.10
37-0114	16.77	4.20
38-0009	6.00	6.95
38-0050	7.80	6.54
38-0091	-	-
39-0001	1.00	2.00
39-0002	21.46	20.83
39-0006	20.00	20.00
39-0009	21.00	21.00
39-0027	-	2.85
39-0042	-	-
39-0044	2.61	6.00
39-0045	3.05	1.34
39-0046	-	-
39-0049	25.00	25.00
39-0073	12.97	12.00
39-0079	-	-
39-0093	0.01	6.02
39-0100	0.40	1.94
39-0101	8.00	6.41
39-0102	6.03	22.14
39-0108	-	-
39-0110	3.71	3.71
39-0111	-	-
39-0119	0.71	0.58
39-0131	0.02	10.62
39-0133	25.00	24.07
39-0137	4.55	2.61
39-0139	-	-
39-0142	-	-
39-0156	-	-
39-0162	3.16	4.31
39-0164	0.04	23.77
39-0169	1.67	0.98
39-0174	-	-
39-0178	1.47	1.39

39-0180	-	-
39-0185	3.00	3.00
39-0195	-	-
39-0197	2.15	2.86
39-0223	-	-
39-0231	-	1.90
39-0237	0.41	0.58
39-0256	25.00	25.00
39-0263	16.00	16.00
39-3042	-	-
39-3302	-	20.52
39-3303	-	-
39-3306	-	-
39-4008	-	-
40-0022	-	7.83
40-0044	-	18.00
40-0112	2.03	23.87
41-0001	5.91	-
41-0004	-	0.95
41-0007	25.00	25.00
41-4000	-	1.93
42-0004	25.00	25.00
42-0007	6.91	2.30
42-0018	12.44	12.44
42-0078	25.00	25.00
43-0016	2.65	8.18
43-0027	4.02	3.57
44-0002	2.42	-
44-0012	4.05	4.80
44-0017	6.28	6.23
44-0039	25.00	25.00
44-0049	-	-
44-0063	7.80	8.92
44-0104	11.27	11.33
44-0111	23.00	23.00
44-0176	6.00	6.00
44-0183	-	-
45-0011	8.61	10.04
45-0015	-	-
45-0018	-	-
45-0021	1.00	-
45-0033	8.24	8.24
45-0039	1.28	1.28
45-0046	25.00	16.54
45-0051	-	-
45-0054	25.00	25.00
45-0068	-	-
45-0124	-	-

45-0132	15.85	8.40
45-0133	12.71	12.84
45-0193	-	-
45-0200	5.96	1.99
45-0229	-	-
45-0237	-	-
45-0289	-	-
45-0299	3.00	3.00
45-0358	-	-
45-0424	-	-
45-0672	15.00	15.00
45-0686	25.00	11.81
45-0723	-	-
45-0788	3.94	3.94
45-0801	3.44	3.44
45-3302	-	-
45-3304	-	7.00
45-3305	-	-
45-4029	-	-
46-0004	5.27	0.66
46-0009	25.00	24.88
46-0010	8.00	8.00
46-0047	2.00	2.00
46-3301	-	14.46
47-0003	25.00	24.61
49-0005	1.71	1.71
49-0007	-	-
49-0009	25.00	25.00
49-0011	-	-
49-0017	-	-
49-0021	7.25	6.50
49-0024	19.00	25.00
49-0032	3.02	18.21
49-0033	-	-
49-0046	-	-
49-0050	-	-
49-0057	-	-
49-0063	0.03	20.25
49-0112	-	-
49-0119	-	-
49-0120	-	-
49-3301	-	-
50-0005	-	-
50-0008	4.03	23.96
50-0012	8.29	5.00
50-0024	-	-
50-0054	11.40	-
50-0064	2.03	23.87

50-0088	-	-
50-0129	3.33	-
50-3300	-	-
51-0001	25.00	13.98
51-0002	-	-
51-0007	-	-
51-0022	18.86	17.07
51-0039	1.89	1.76
51-0050	6.84	4.94
51-0055	25.00	25.00
52-0008	-	-
52-0057	1.07	1.07
52-0064	-	-
52-0066	8.88	8.05
52-0083	6.52	-
52-0087	6.64	4.62
52-0098	15.50	15.50
52-0138	-	-
52-3300	-	3.50
53-0014	3.50	-