

## **CMS Updated ABN Form CMS-R-131 What Diagnostic Leaders Need to Do Now**

On March 13, 2026, CMS announced approval of the updated Advance Beneficiary Notice of Noncoverage (ABN), Form CMS-R-131. While the form number remains unchanged, the update reflects a new Office of Management and Budget (OMB) approval with validity through March 31, 2029. The revision enhances readability, clarifies instructions, and improves formatting, but does not change when or how ABNs must be used.

### **What the ABN Does**

The ABN is issued to Original Medicare (fee-for-service) patients when a service is likely to be denied due to medical necessity, frequency limits, or is considered experimental & investigational or research only. A properly executed ABN informs patients of financial responsibility and allows providers to bill patients if Medicare denies the claim. Without a valid ABN, the provider may be financially liable.

### **Key Compliance Requirements**

- Transition to the new CMS-R-131 form by May 12, 2026
- Issue ABNs before services and allow time for informed patient decisions
- Use only for Original Medicare (not Medicare Advantage Part C or Part D)
- Ensure forms include services, denial rationale, cost estimate and patient signature

### **Operational Impact**

Laboratory, pathology, and radiology providers face increased risk due to limited patient interaction, reliance on ordering providers, and high denial exposure. Weak ABN workflows can lead to revenue loss, compliance issues and poor patient experience.

### **Recommended Actions**

- Replace all outdated ABN forms immediately
- Audit workflows to identify when ABNs are required
- Train staff on proper usage and timing
- Align ABN processes with billing and modifier usage
- Monitor ABN usage against denial trends

The updated ABN introduces a firm compliance deadline of May 12, 2026. The revised form represents minor changes, however after this deadline, use of an outdated ABN may invalidate the notice, leaving providers unable to bill patients for denied services and exposed to preventable revenue loss.

CMS ABN resources: <https://www.cms.gov/medicare/forms-notices/beneficiary-notices-initiative/ffs-abn>

Should you have any questions on this topic, please contact your APS Practice Manager.