



mln call

A MEDICARE LEARNING NETWORK® (MLN) EVENT

Revised Interpretive Guidance for Nursing Homes and New Survey Process

Tuesday, July 25, 2017

Presenters:

Division of Nursing Home
Survey and Certification Group



Agenda

- Revised Interpretive Guidance
- New Survey Process
- Training & Resources



Revised Interpretive Guidance



Overview of Sections

- Overview of Sections
 - F-Tag
 - Regulation
 - Intent
 - Definitions
 - Guidance
 - Key Elements of Non-compliance
 - Procedures/ Critical Element and Facility Tasks
 - Deficiency Categorizations
 - Potential Tags for Additional Investigation



Federal Regulatory Groups for Long Term Care Facilities

* Substandard quality of care = one or more deficiencies with s/s levels of F, H, I, J, K, or L in Red

F540 Definitions

483.10 Resident Rights

- F550 *Resident Rights/Exercise of Rights
- F551 Rights Exercised by Representative
- F552 Right to be Informed/Make Treatment Decisions
- F553 Right to Participate in Planning Care
- F554 Resident Self-Admin Meds-Clinically Appropriate
- F555 Right to Choose/Be Informed of Attending Physician
- F557 Respect, Dignity/Right to have Personal Property
- F558 *Reasonable Accommodations of Needs/Preferences
- F559 *Choose/Be Notified of Room/Roommate Change
- F560 Right to Refuse Certain Transfers
- *Self Determination
- F562 Immediate Access to Resident
- F563 Right to Receive/Deny Visitors
- F564 Inform of Visitation Rights/Equal Visitation Privileges
- *Resident/Family Group and Response
- F566 Right to Perform Facility Services or Refuse
- F567 Protection/Management of Personal Funds
- F568 Accounting and Records of Personal Funds
- F569 Notice and Conveyance of Personal Funds
- F570 Surety Bond - Security of Personal Funds
- F571 Limitations on Charges to Personal Funds

483.12 Freedom from Abuse, Neglect, and Exploitation

- F600 *Free from Abuse and Neglect
- F602 *Free from Misappropriation/Exploitation
- F603 *Free from Involuntary Seclusion
- F604 *Right to be Free from Physical Restraints
- F605 *Right to be Free from Chemical Restraints
- F606 *Not Employ/Engage Staff with Adverse Actions
- F607 *Develop/Implement Abuse/Neglect, etc. Policies
- F608 *Reporting of Reasonable Suspicion of a Crime
- F609 *Reporting of Alleged Violations
- F610 *Investigate/Prevent/Correct Alleged Violation

483.15 Admission, Transfer, and Discharge

- F620 Admissions Policy
- F621 Equal Practices Regardless of Payment Source
- F622 Transfer and Discharge Requirements
- F623 Notice Requirements Before Transfer/Discharge
- F624 Preparation for Safe/Orderly Transfer/Discharge
- F625 Notice of Bed Hold Policy Before/Upon Transfer
- F626 Permitting Residents to Return to Facility

483.20 Resident Assessments

- F635 Admission Physician Orders for Immediate Care
- F636 Comprehensive Assessments & Timing
- F637 Comprehensive Assmt After Significant Change

483.24 Quality of Life

- F675 *Quality of Life
- F676 *Activities of Daily Living (ADLs)/ Maintain Abilities
- F677 *ADL Care Provided for Dependent Residents
- F678 *Cardio-Pulmonary Resuscitation (CPR)
- F679 *Activities Meet Interest/Needs of Each Resident
- F680 *Qualifications of Activity Professional

483.25 Quality of Care

- F684 *Quality of Care
- F685 *Treatment/Devices to Maintain Hearing/Vision
- F686 *Treatment/Svcs to Prevent/Heal Pressure Ulcers
- F687 *Foot Care
- F688 *Increase/Prevent Decrease in ROM/Mobility
- F689 *Free of Accident Hazards/Supervision/Devices
- F690 *Bowel/Bladder Incontinence, Catheter, UTI
- F691 *Colostomy, Urostomy, or Ileostomy Care
- F692 *Nutrition/Hydration Status Maintenance
- F693 *Tube Feeding Management/Restore Eating Skills
- F694 *Parenteral/IV Fluids
- F695 *Respiratory/Tracheostomy care and Suctioning
- F696 *Prostheses
- F697 *Pain Management
- F698 *Dialysis



F-Tag Crosswalk

As of: 06/28/2017

Phase 2 Tag Crosswalk -
Effective November 28, 2017

Tag # (As of Nov. 28, 2017)	SQC Tag? X = Yes	Tag Title	CFR	Regulatory Groupings	Tags / Subparts Implemented in Phase 3	Old Tag (Taken from App PP 03-08-2017)	RegulationText that was Moved to New Tag
F540		Definitions	483.5			F150	483.5
F550	X	Resident Rights/Exercise of Rights	483.10(a)(1)(2)(b)(1)(2)	483.10 Resident Rights		F151 F240 F241	483.10(b)(1)(2) 483.10(a)(1)(2) 483.10(a)(1)
F551		Rights Exercised by Representative	483.10(b)(3)-(7)(i)-(iii)	483.10 Resident Rights		F152	483.10(b)(3)-(7)
F552		Right to be Informed/Make Treatment Decisions	483.10(c)(1)(4)(5)	483.10 Resident Rights		F154	483.10(c)(1)(4)(5)
F553		Right to Participate in Planning Care	483.10(c)(2)(3)	483.10 Resident Rights		F154 F280	483.10(c)(2)(iii) 483.10(c)(2)(i)(ii)(iv)(v)(3)(i)-(iii)
F554		Resident Self-Admin Meds-Clinically Appropriate	483.10(c)(7)	483.10 Resident Rights		F176	483.10(c)(7)
F555		Right to Choose/Be Informed of Attending Physician	483.10(d)(1)-(5)	483.10 Resident Rights		F163	483.10(d)(1)(2)(4)(5)
F557		Respect, Dignity/Right to have Personal Property	483.10(e)(2)	483.10 Resident Rights		F252	483.10(e)(2)
F558	X	Reasonable Accommodations of Needs/Preferences	483.10(e)(3)	483.10 Resident Rights		F246	483.10(e)(3)
F559	X	Choose/Be Notified of Room/Roommate Change	483.10(e)(4)-(6)	483.10 Resident Rights		F175 F247	483.10(e)(4)(5) 483.10(e)(6)
F560		Right to Refuse Certain Transfers	483.10(e)(7)(i)-(iii)(8)	483.10 Resident Rights		F177	483.10(e)(7)-(8)



Overview of Changes

- Effective November 28, 2017
- Posted online in State Operations Manual in advance
- Until then, providers and surveyors will continue to use the revised version of Appendix PP released March 8, 2017



Resident Rights

- General Updates: Discussion of examples of non-compliance and survey procedures
- Visitation Rights subject to reasonable restrictions
- Advance directives
- Advance Beneficiary Notices
- Expanded discussion on role of resident representative and interested parties.



Freedom from Abuse, Neglect and Exploitation

- F600 – Abuse and Neglect combined into a single tag
- Additional Guidance Added for Clarity
 - What constitutes abuse and neglect
 - Assessing Consent
 - Involuntary Seclusion
 - Physical and Chemical Restraints
 - Policies to Prohibit Abuse and Neglect
 - Reporting Requirements



Admission, Transfer and Discharge

- Facility-Initiated Discharge vs. Resident-Initiated Discharge
- F624 – *Immediate Orientation and Planning for Discharge*
- Additional Guidance
 - Permitting Residents to Return and Right to Remain
 - Emergency Transfers
 - Documentation Requirements for Transfer and Discharge



Resident Assessments

- Integration with Resident Assessment Instrument (RAI) Manual
 - Assessment timing and completion
 - Care Area Assessment Process
 - Significant Change in Status Assessment
- Using the RAI to develop, review and revise the resident's comprehensive care plan
- Coordination of PASARR screening, evaluation, determination and the RAI Assessment (Guidance and Survey Process)
- Notification of the appropriate state authority when a resident with a mental disorder or intellectual disability has a significant change in status



Comprehensive Resident-Centered Care Plan

- Baseline Care Plan
- Integration with Resident Assessment Instrument (RAI) and Care Area Assessment (CAA) process
- PASARR
- Discharge Planning and Discharge Summary Process (New)



Quality of Life

- Quality of Life Definition- Noncompliance results from evidence demonstrate a pervasive disregard for the principles of quality of life.
- Incorporation of Basic Life Support guidance



Quality of Care

- F684 Quality of Care Tag- Formerly F309 – Hospice, palliative care, other care issues
- Guidance:
 - Dialysis
 - Respiratory Care
 - Fecal Incontinence
 - Position Change Alarms
 - Bed Rails



Nursing Services

- Sufficient Staffing F725
- Competent Staffing and Nurse Aide Proficiency F726
- Except when related to provision of behavioral health services or non-nursing staff.



Behavioral Health Services

- Sufficient and Competent Staffing related to provision of behavioral health services.
- Scope of services and coordination
- Services for residents with dementia (F744)



Pharmacy Services

- F757- Unnecessary Medications
- F758- Psychotropic (Unnecessary and PRN Usage)
- F756 Drug Regimen Review—new requirements related to reporting and documenting identified irregularities.



Food and Nutrition Services

- Qualifications of Personnel
- Sufficient Staff
- Policy regarding personal food items



Administration

- Facility Assessment
 - Guidance
 - Technical Assistance
- Expanded Discussion of Role of Medical Director
- Facility Closure
- Hospice Agreement



Quality Assurance and Performance Improvement

- QAPI Plan
- Disclosure of QAA Information
- Good Faith Attempts to Correct
- Patient Safety Act
- Potentially Preventable Adverse Events



Infection Control

- Infection Control Program – discussion of minimum components
- Antibiotic Stewardship Program – minimum antibiotic use protocols and a system for monitoring antibiotic use – describes other core components based on CDC guidance



Other Regulatory Sections

- Physician Services
- Lab, Radiology and Other Diagnostic Services
- Dental Services
- Physical Environment
- Training



Long-Term Care Survey Process



Survey Process

- Begins November 28, 2017 (includes Phase 1 and 2 requirements)
- Single Computerized Long-Term Care Survey Process
- Provider/Public Slide Deck available now to walk through specifics
- Specific Provider Training to be made available



Why is CMS Changing the LTC Survey Process?

- Two different survey processes (Traditional and QIS)
- Opportunities to improve the efficiency and effectiveness of both survey processes.
- Identified slightly different quality of care/quality of life issues.
- Build on the best of both the Traditional and QIS processes to establish a single-nationwide survey process.
- Integrate finalized Requirements for Participation



Survey Highlights

- Initial Pool Process (1st Day) – Screen all residents in your assigned area and complete a Resident and Family Interviews Observations/Limited Record Reviews for residents selected for the initial pool
- Initial Pool and Sample will be a mix of offsite selected residents from the MDS and onsite selected by the surveyor
- Facility Matrix to be completed by facility on first day
- Team will be interviewing Resident Council group



Mandatory Facility Tasks

- Sufficient/Competent Staffing
- Infection Control
- Beneficiary Notices
- Dining Observation
- Medication Storage
- Medication Administration
- Kitchen Observation
- QAA/QAPI



Survey Process Overview

- Initial Pool Process
- Sample Selection
 - Sample size based on census
 - 70% offsite
 - 30% selected onsite by team
- Facility Tasks and Closed Record Reviews
- Investigations
 - All concerns for sample residents requiring further investigation



Facility Entrance

- Census and list of all residents, with identification of new admissions
- Documents
 - Previous process (e.g., floor plan, CMS 671/672, etc.)
 - Policies and Procedures
- Meal and medication administration times
- Access to Electronic Health Records
- Updated facility matrix



Facility Entrance

- Census and list of all residents, with identification of new admissions
- Documents
 - Previous process (e.g., floor plan, CMS 671/672, etc.)
 - Policies and Procedures
- Meal and medication administration times
- Timely access to Electronic Health Records
- Updated facility matrix



Updated Facility Matrix



Training and Resources



Training for Providers and the Public

- CMS website and National Calls (MLN)
- Access to Surveyor Training Materials
- Videos on Highlights of the Interpretive Guidance
- Training Tools access to Survey Forms and CE Pathways – *Coming Soon*



Integrated Surveyor Training Website

ISTW CMS SURVEY AND CERTIFICATION GROUP

Integrated Surveyor Training Website

User Manual | Support Center | CMS.gov

WELCOME

Welcome to the CMS, Center for Clinical Standards and Quality, Survey and Certification Group training site. Select an option at the right to continue.

I AM A SURVEYOR >

I AM A PROVIDER >



Resources and Tools

- Web Page: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/GuidanceforLawsAndRegulations/Nursing-Homes.html>
- Survey and Certification Memos: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Policy-and-Memos-to-States-and-Regions.html>
- Training Website: <https://surveyortraining.cms.hhs.gov/index.aspx>
 - *I am a Provider* - Course Catalog – LTC Survey Process SME Videos
- Email: NHSurveyDevelopment@cms.hhs.gov



How to Prepare

1. Monitor for announcements
2. Leverage your resources (e.g., associations, industry press)
3. Leverage CMS resources (e.g., calls, websites, training)
4. Develop a specific plan for your facility
5. Focus on the intent



Question & Answer Session



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