

## Long-Term Care Survey Alert

### Industry Note:

Don't Hold Your Breath for QAPI & ACA-Related Regulations

The **Centers for Medicare and Medicaid Services** is still working on regulations on nursing home ethics and compliance programs, as mandated by the Affordable Care Act Section 6102. The agency has yet to issue rules and won't issue instructions to surveyors until the rules are promulgated, according to the March 21 SNF/LTC ODF.

CMS also noted in the ODF that the Quality Assurance and Performance Improvement (QAPI) regulation is still in development, but the agency did not offer an expected publishing date for the proposed rule. You can look for updates on the Unified Agenda of Regulatory and Deregulatory Actions at [www.reginfo.gov/public/do/eAgendaMain](http://www.reginfo.gov/public/do/eAgendaMain), and you can send questions to the QAPI mailbox at [NHQAPI@cms.hhs.gov](mailto:NHQAPI@cms.hhs.gov).

Additionally, the ODF clarified that only the following should be transmitted for non-PPS assessments:

OBRA assessments in A0310A (required for all residents in Medicare and/or Medicaid certified beds);

Assessments completed for Medicare Part A reimbursement; and

MDS assessments used for Medicaid reimbursement in certain states, transmitted pursuant to state requirements.

Get Ready for Nursing Home Compare to Display Deficiencies Statements

In a March 22 Survey and Certification Letter, CMS announced that beginning now Nursing Home Compare users will be able to access facilities' Statements of Deficiencies (CMS-2567s). The now public data will include Statements of Deficiencies for the preceding three standard health surveys and three years of complaint surveys.

CMS has been posting CMS-2567s for nursing homes since July 2012, but in a much smaller scope □ only for the most recent standard health survey and the most recent 15 months of complaint surveys, according to Washington, D.C.-based **Leading Age**. Also, now CMS plans to add indicators for the scope and severity of each deficiency cited so that users can better interpret each Statement of Deficiency's findings.

You can read the entire CMS memo at

[www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo](http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo).