

## Long-Term Care Survey Alert

### OIG to CMS: Consider These Steps to Shore Up Background Checks

Pointing to the healthcare reform act-mandated National Background Check Program, the OIG in a recent report (see the front-page article) recommended that CMS come up with procedures for checking employee backgrounds.

In formulating such procedures, states the OIG in its report, CMS should do the following:

- (1) "Clearly define the employee classifications that are direct patient access employees;
- (2) Work with participating States to develop a list of convictions that disqualify an individual from nursing facility employment under the Federal regulation and timeframes in which each conviction bars the individual from employment."

The OIG noted in its report that CMS concurred with its suggestions.

Meanwhile, CMS is hard at work on the National Background Check Program.

What it is: The program "will help identify 'best practices' for long term care providers to determine whether a job seeker has any kind of criminal history or other disqualifying background that could make them unsuitable to work directly with long term care clients/ residents," according to CMS in a statement. The program includes several different long-term care provider types, including nursing facilities. (For more information on the program, go to [www.cms.gov/SurveyCertificationGenInfo/Downloads/cmsextendsapplication.pdf](http://www.cms.gov/SurveyCertificationGenInfo/Downloads/cmsextendsapplication.pdf).)

The program now has 10 states, which receive federal matching funds for participating, according to CMS' **Karen Schoeneman**, speaking during a March 17, 2011, SNF/LTC Open Door Forum. The states in the program to date include Alaska, Delaware, the District of Columbia, Florida, Missouri, Rhode Island, Connecticut, Illinois, New Mexico, and California, she reported. States and territories still have to time to get in the program. The background check program is expected to run until around the fall of 2013, Schoeneman added. "After that time, OIG is going to do an evaluation and a report to Congress