

Long-Term Care Survey Alert

SURVEY & CLINICAL NEWS TO USE

Wondering about the survey implications of enacting culture change? CMS has provided a survey and cert memo with a comprehensive compilation of answers addressing questions the agency has received from culture change organizations from 2004 to 2006. A number of the questions and answers provide helpful interpretations of F tags apart from culture change.

A question about Tag F521 (Quality Assessment and Assurance) asks whether the responsibility for this committee to "meet" can be fulfilled if the physician member is not physically present, but is participating through alternate means, "such as conference calls or reading minutes/issues and giving input."

CMS' response: Yes, "participation can be achieved through means of telephone conferencing." The agency states that it "does not accept the alternative of the physician merely reading documents before or after the meeting. We believe the purpose of these meetings is to provide a forum for discussion of issues and plans, which cannot be adequately fulfilled if the physician is merely reading and commenting on documents, since this does not allow for the interchange of ideas," states CMS.

Download the memorandum at www.cms.hhs.gov/SurveyCertificationGenInfo/downloads/SCLetter07-07.pdf.

Heads up: If your facility receives Medicaid payments of \$5 million or more a year, it has to inform employees about whistleblowers protections. That's the word from the **Centers for Medicare & Medicaid Services** in recent guidance implementing provisions in the Deficit Reduction Act of 2005 designed to combat Medicaid fraud and abuse. Facilities cannot retaliate against an employee who "blows the whistle" on its practices. Employee handbooks must include the whistleblower info. For more information, read the CMS document at www.cms.hhs.gov/DeficitReductionAct/Downloads/CMIP%20Initial%20July%202006.pdf.