

Long-Term Care Survey Alert

Survey Management: 10 THINGS NEVER TO SAY OR DO DURING A SURVEY

Have you ever really put your foot in your mouth during a survey, hoping surveyors would forgive or forget? Or stood in shock as a nursing aide discussed your staffing woes with a seemingly sympathetic surveyor or paraded patients half clad to the bath down the hall?

"Surveyors walk in and staff perceives them as gods so they may find themselves saying and doing things that they never would otherwise," says **Marilyn Mines**, a nurse consultant with **FR&R HealthCare Consulting** in Deerfield, IL.

While many of these faux pas can be chalked up to survey anxiety, others are common oversights that can easily be avoided. Below, survey experts provide a rundown of things facility staff should never say or do during the survey and ways to recover if they do happen.

1. Give surveyors free roam of the facility. Claire Hoffman with **Hoffman Associates** in Royersford, PA, says shes surprised how often she sees facilities allow surveyors to do this. "Its best to have a knowledgeable person accompany the surveyors to provide explanations of situations that may otherwise appear to be a deviation," she says.

"You have the right to be with the surveyors, as long as you dont interfere with their duties," agrees **Gene Larrabee**, principal of **Primus Care Inc.**, in Valparaiso, IN. Resident interviews are, however, off limits. "If you sense that your facility may be in trouble with surveyors, you definitely want to see what the surveyors are seeing, because thats how you establish your defense," he adds.

2. Admit to working short staffed. "Its not unusual for surveyors to strike up a bit of a banter with a nursing assistant or LPN where theyll say, I bet its tough when you have to work short," Larrabee cautions. "Staff who are trying to be polite may say, Yes, but we make do. Then, bingo! Your facility has an F tag for staffing.

" Nursing administrators can head this issue off at the pass by explaining to surveyors how the facility does staff to census or acuity levels. If you staff by acuity, show surveyors that you have assessed acuity levels and staffed accordingly to meet resident needs and any state staffing mandates.

3. **Tell surveyors "Sorry, thats not my job."** "Certified nursing assistants would be most likely to say this," says **Richard Butler**, president of **Survey Management** in Indianapolis, IN, although he reports hearing such comments from some line nurses.

What this usually means is that the surveyor has asked about something outside of their expertise or responsibility. "What the staff should say instead is, Lets go talk to the RN or director of nursing or rehab therapist about that issue," Butler suggests. "Then the staff person should take the surveyor to that person or page her immediately." Larrabee also advises giving surveyors a roster of staff available to answer questions about different areas of care.

4. Answer "No, we dont do that here," when surveyors inquire about the facilities care planning or other care protocols. What should you do if the surveyor asks if your facility does X, Y and Z for residents and the answer is, "Some or none of the above"? State what your facility does do to meet the regulatory requirement in that area of care.

For example, say the surveyor asks a staff nurse if the facility does a lot of extraordinary things with the care plan. Instead of saying no, or getting defensive, the nurse could simply say, if true: "At this facility, we tailor our care planning and service delivery to the emerging needs of the residents or patients," which is what the regulations require. If the surveyor pressed the issue, the nurse could show him the quality assurance plan that ensures the care planning process

is on target in meeting residents needs.

5. Put the survey before residents. Surveyors will be looking to see that staff at all levels puts the residents first. Its easy to become consumed by the survey process, however, if you arent careful. A survey consultant tells **Eli** she once heard a flustered DON tell surveyors, "I dont have time for residents," when the surveyor asked her for the second time if shed like to answer a residents call light.

6. Talk about residents in their presence or within earshot of other patients or visitors. Sometimes the road to F tags for privacy and dignity are paved with resident-centered intentions. For example, one facility was eager to show off its interdisciplinary "talking rounds" to surveyors and ended up with deficiencies rather than accolades. "Any type of talking rounds should follow some basic rules," cautions Hoffman. "For one, always ask the resident/family permission to conduct the rounds, dont talk about the resident as if he werent there, and watch out for privacy issues, such as roommates."

7. Let surveyors leave the facility without knowing what documents they have copied to build their case against you. "Its best to designate one person to copy documents requested by surveyors and make a second copy for the facilities records," Larrabee suggests. Otherwise, you wont be able to keep track of the information surveyors have in their possession.

Also, by reviewing the documents, you may be able to figure out what surveyors are going to hit you with in the exit conference in order to prepare an effective counter argument, skipping an F tag altogether.

8. Get heavy-handed with a survey thats going well. "You dont want to overwhelm surveyors with all the things you have a right to do to control the process if things seem to be going well," warns Larrabee. And you shouldnt get adversarial with surveyors, which is a surefire strategy to win a battle but lose the war, caution survey consultants.

9. Overdo the hospitality. On the other hand, you dont want to appear so hospitable that a surveyor might accuse you of trying to "brown nose" or even bribe her. "In terms of playing host to the surveyors, it might be OK to offer coffee, cookies or muffins," says Hoffman. "But in Pennsylvania, for example, surveyors arent even allowed to eat lunch at the facility without paying for the meal," she cautions.

To play it totally safe, Larrabee advises his clients to provide surveyors a small conference room to work in and then bring in a pot of coffee and plate of pastries with a little sign listing a nominal price. To be helpful, the facility can provide surveyors information about local restaurants or provide take-out menus to various local restaurants.

10. Accept incorrect findings. Finally, dont let a significant misstatement or misinformation stand, resulting in what may have been an avoidable F tag. "You always show you are in control during the survey," says Butler. "So its best to say, Im sorry I misspoke. I am nervous with the survey going on. What I meant to say is ," he advises. "And you must always correct misinformation. You have to assume surveyors are bright enough to understand what you said was wrong and will use it against you which isnt inappropriate on their part."