

## MDS Alert

### CMS Response Still Vague: CMS Releases List of Special Focus Facilities, Candidates

The Centers for Medicare & Medicaid Services (CMS) has agreed to release a list identifying Special Focus Facilities (SFF) and candidates for the program, after an inquiry by two U.S. Senators from Pennsylvania, Sen. Bob Casey Jr. and Sen. Pat Toomey (see story, page 77).

"There are 15,000 nursing homes in the country, and almost 3,000 of these have a one-star rating on their health inspections. By contrast, there are only 88 Special Focus Facility (SFF) program slots, and only about 400 candidates for the program. CMS regularly helps states narrow down the list of poor performers to identify nursing homes that are candidates for the program," says **Kate Goodrich, MD**, director at the **Center for Clinical Standards and Quality** and Chief Medical Officer at CMS, in a recent press release.

In their inquiry, Sen. Casey and Sen. Toomey noted that it was difficult to figure out which facilities were performing poorly and, presumably, providing inadequate care or hosting residents in unsafe conditions, because SFF candidates, their respective states, and CMS were the only entities who knew about their candidacy status.

CMS disagreed that the information was inaccessible.

In a May 3, 2019, letter to Sen. Bob Casey Jr., **Seema Verma**, administrator for CMS, said: "Stakeholders can also see which facilities could be candidates by accessing the [data.medicare.gov](http://data.medicare.gov) website and downloading the 'Provider Info.' By sorting the column named 'Total Weighted Health Survey Score,' in descending order, the facilities with the highest survey scores, which could be SFF candidates, appear at the top of the list."

She also explained the way in which facilities can end up as candidates in the SFF program, in response to a series of questions put forth by the senators:

"The methodology for identifying facilities for the SFF program is based on the same methodology used in the health inspection domain of the Five-Star Quality Rating System. The results of each facility's surveys for three cycles of inspection are converted into points based on the number of deficiencies cited and the scope and severity level of those citations. The more deficiencies that are cited, and the more cited at higher levels of scope and severity, the more points are assigned. The facilities with the most points in a state then become candidates for the SFF program," Verma said.

Recently, CMS agreed to make the list of SFF and SFF candidates known.

**Resource:** You can see the most recent list of SFF and SFF candidates, here: [www.cms.gov/Medicare/Provider-Enrollment-and-certification/CertificationandCompliance/downloads/sfflist.pdf](http://www.cms.gov/Medicare/Provider-Enrollment-and-certification/CertificationandCompliance/downloads/sfflist.pdf).