

MDS Alert

In Other News: Is Your Facility Reporting Abuse & Neglect Allegations?

Good news: If your facility is like the vast majority of nursing facilities, you are complying with federal regulations for reporting abuse and neglect allegations. So says a new report from the **HHS Office of Inspector General** (OIG).

The OIG conducted a study to determine how well nursing facilities were complying with federal requirements to report allegations of abuse or neglect to state survey agencies within 24 hours. For the study, the OIG:

- Reviewed a sampling of nursing facilities' policies related to reporting abuse or neglect allegations;
- Reviewed a sampling of nursing facilities policies related to reasonable suspicions of crimes;
- Surveyed administrators from those sampled facilities; and
- Examined a random sample of abuse/neglect allegations identified from the sampled nursing facilities.

Ultimately, the OIG found that 85 percent of nursing facilities reported at least one allegation of abuse or neglect to the OIG in 2012. Approximately 76 percent of nursing facilities maintained policies that address federal regulations for reporting abuse/neglect allegations and investigation results, and 61 percent had documentation supporting the facility's compliance with such federal regulations. Also, the sampled nursing facilities reported 53 percent of abuse/neglect allegations and the subsequent investigation results, as federally required.

The OIG made three recommendations to the **Centers for Medicare & Medicaid Services** (CMS), all of which CMS agreed with:

1. Maintain policies related to reporting allegations of abuse or neglect;
2. Notify covered individuals of their obligation to report reasonable suspicions of crimes; and
3. Report abuse/neglect allegations and investigation results in a timely manner and to the appropriate individuals, as required.

To access the entire OIG report, "Nursing Facilities' Compliance with Federal Regulations for Reporting Allegations of Abuse or Neglect," visit <http://oig.hhs.gov/oei/reports/oei-07-13-00010.pdf>.