

MDS Alert

Reader Question: MDS Responsibilities May Vary By State

Question: Does the Centers for Medicare and Medicaid Services (CMS) dictate what kind of credentials staff members needs to fill out parts of the MDS? Or is it dictated by states?

Maine Subscriber

Answer: "This situation requires knowledge of the State Nurse Practice Act; many states allow LPNs to collect data, but they are not allowed to assess. Go to your state Board of Nursing website and find the link for the Nurse Practice Act - every state is different - and this falls under the Board of Nursing (not CMS)," says **Jane Belt, RN, MS, RAC-MT, RAC-CT, QCP,**

curriculum development specialist at the **American Association for Nurse Assessment Coordination (AANAC)** in Columbus, Ohio, on an AANAC forum.

Your individual state's board of nursing sets the rules about which credentials a nursing professional needs in order to assist with the MDS. In some states, licensed practical nurses (LPNs) can collect the data necessary to complete the MDS, but only registered nurses (RNs) can make the assessments the MDS requires.

In other states, LPNs are allowed to do everything required to fill out the MDS and care area assessments (CAAs), as long as an RN (and, often, the director of nursing or another supervisor) signs off on everything. However, make sure you check; some facilities report being cited by state surveyors for having LPNs do assessments that were then reflected on the MDS.

Maine's board of nursing information can be found here: www.maine.gov/boardofnursing/ and other states can look up their state's regulations on nursing here: www.ncsbn.org/npa.htm.