

## *Improve Existing Nursing Home Survey System*

Federal regulations require every Medicare or Medicaid-certified nursing facility to be surveyed at least once every year. Last Congress, *Enhancing Quality through Survey System Improvements Act* (H.R. 6074), was introduced which required each facility to be surveyed every year and also required additional oversight for all facilities by requiring the Centers for Medicare and Medicaid Services (CMS) to review quality markers quarterly during an offsite review. Change in quality markers—improvement or decline—may indicate a need for surveyors to investigate using an appropriate method which may include an on-site visit at the facility.

This legislation: (1) moved the survey system one step forward from today's system; (2) made use of the wealth of data that CMS regularly receives from each facility; and (3) used this data to modernize the survey process. Use of the data was consistent with the efforts of the Administration to use data that the government collects to improve efficiency and wise use of resources. The legislation also increased the accountability of the Secretary and CMS to ensure survey consistency and timeliness of the appeals process.

The *Enhancing Quality through Survey System Improvements Act* provided CMS with the ability to focus more time on facilities that perform less well by freeing surveyors from spending unnecessary time in high quality facilities. Those facilities that achieved and maintained a designated level of compliance received a shorter survey visit (about ½ day) two out of three years. The third year the “top tier” facilities would have had a full comprehensive survey. It is important to note that surveyors would still have been in every facility every year. The overall goal is to provide a more appropriate allocation of survey resources.

To provide more thorough information about a nursing home (particularly for consumers, in light of the new law requiring these forms to be posted on each state's public web site) the legislation changed the title of the CMS Form 2567 to “Report of Survey and required that it include areas of excellence as well as opportunities for improvement. Also, the legislation required CMS to develop and apply acuity adjusters to quality measures used to evaluate and report on care being provided in nursing homes, which is necessary in order to accurately recognize differences in medical status across nursing home populations. This reasonably simple change would have provided vastly improved transparency when comparing quality of care in nursing homes.

Lastly, the legislation required the Secretary to be held accountable to Congress. The Secretary had to report to Congress annually on survey consistency and approaches being taken to improve any remaining inconsistency. The Secretary also must have reported to Congress annually on timeliness of appeals and approaches the Secretary is taking to correct any lack of timeliness.

### Ask Congress...

To introduce the *Enhancing Quality through Survey System Improvements Act*.

### Key Facts

- The nursing home survey system has not been modernized in more than 20 years.
- Oversight of nursing homes has increased and improved.
- Each nursing home is surveyed every year.

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