Nursing Home Survey Process Revisited

Robyn Grant
National Consumer Voice
for Quality Long-Term Care
- QAPI
- QIS
- Changes to survey process
  - Collaboration between surveyors and ombudsmen
- Changes to nursing home regulations
QAPI

Pleased that:
- it institutionalizes quality improvement
- calls for involvement of residents and families
QAPI

Concerns

• Degree to which facilities will involve residents/families

• What we’d like to see:
  • Helping to pick area of focus
  • Providing information about the area from their perspective
  • Discussing what might be causing it from their perspective
  • Helping to come up with an intervention
  • Giving feedback on how they think the intervention is working

• What is needed:
  • CMS regulation and guidance spelling this out
QAPI

• Most facilities don’t know how to engage residents/families in a meaningful way

• What is needed:
  • Training, resource materials, best practices
QIS

Great objectives

• To improve:
  • Accuracy
  • Consistency
  • Efficiency
QIS

What we’ve heard anecdotally

- **Positive:**
  - More deficiencies cited (at least at first)
  - Interviews with residents with moderate dementia

- **Negative:**
  - Resident interview questions must be repeated verbatim – even if resident doesn’t understand the question
  - Family members told they can’t talk to surveyors if they are not part of formal interviews
Feedback from studies

- Abt (2007): Did not increase accuracy

- GAO (2012): CMS has no systematic means to monitor achievement of objectives (accuracy, consistency, efficiency)
Jury is still out: Too soon to tell!
Changes to Survey Process

CMS goal:

- To improve survey efficiency and effectiveness
Consumer Voice Recommendations: Traditional Survey

- Revise how scope and severity work
- Increase the size and representation of survey sample and number of interviews
- Reduce the predictability of the survey
- Give more weight to what residents and family members say
- Incorporate probes and questions related to resident choice, routines, preferences in the entire survey process
Consumer Voice Recommendations

- Conduct the investigative protocol for nursing services/sufficient staffing for each standard survey
- Develop an investigative protocol for administration and require it to be completed for each standard survey
- Require an abbreviated survey when there is evidence of repeat turnover of administrators/directors of nursing
- Ensure the survey protocols for sharing information between ombudsmen and surveyors are followed.
Specific Recommendations related to Ombudsmen (collaboration)

Offsite preparation

• Surveyors should:
  • Gather ombudsman information prior to entering the facility
  • Notify ombudsman at least 24 hours before entering the facility
  • Not complete survey sample until names have been obtained from ombudsman

• Ombudsmen should
  • Tell surveyors about complaint trends, general concerns, systemic issues
  • Give surveyors names of residents, family members to interview
Specific Recommendations related to Ombudsmen (collaboration)

Group interview

- Surveyors should:
  - Invite ombudsman to group interview (with resident consent)
  - Talk with ombudsman about any systemic issues raised by residents after the interview
Specific Recommendations related to Ombudsmen (collaboration)

Exit Conference

• Surveyors should:
  • Give ombudsman at least 24 hours notice of exit conference
  • Permit the ombudsman to participate by phone
  • Provide the ombudsman with the same information provided to facility staff
• Preserve annual standard survey
  • Do not prioritize complaint survey over standard survey
• Maintain survey frequency at 9-15 months
  • Do not survey “better facilities” less frequently
Changes to Nursing Home Regulations

- **Purpose:**
  - To review how regulatory standards could be revised to promote patient centered care, improve quality, reduce burdens, and make the regulations “current”

- **Appears driven by 2011 Executive Order:**
  - Directs agencies “to select the least burdensome approaches, to minimize cumulative costs, to simplify and harmonize overlapping regulations, and to identify and consider flexible approaches that maintain freedom of choice for the American public”
  - Tells agencies to identify rules that are “outmoded, ineffective, insufficient or excessively burdensome” and to “modify, streamline, expand, or repeal them.”
Consumer Voice Position

- Oppose any weakening of regulations
- Recommend ways to strengthen regulations to improve care/quality of life and better protect residents
Consumer Voice Recommendations

• Require a minimum staffing standard for direct-care nursing staff
• Require a registered nurse 24 hours a day/7 days a week
• Adopt 1992 proposed regulations regarding chemical restraints, psychopharmacologic drugs and informed consent
• Explicitly state that a facility is responsible for the acts of its employees, contractors and volunteers
• Eliminate distinct parts
Changes in Regulations are Coming!

- Don’t know when
- Don’t know what they’ll look like
Bigger Picture

Problems with deficiency citations

- Deficiencies unidentified
- Deficiencies undercoded in terms of scope and severity
## Decline in Enforcement Actions

### Nationally

<table>
<thead>
<tr>
<th>Year</th>
<th>2007</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4838</td>
<td>3019</td>
</tr>
</tbody>
</table>

### Region 2

<table>
<thead>
<tr>
<th>Year</th>
<th>2007</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>257</td>
<td>14</td>
</tr>
</tbody>
</table>
Chronic short staffing in state survey agencies

- Number of surveyors declining
- Positions being cut
- Positions unfilled
Yet ....

Initiatives

• Advancing Excellence
• National Partnership for Improving Dementia Care
• National Nursing Home Quality Initiative
Initiatives

- Take staff time
- Take money
- Place CMS in role of consulting/providing technical assistance
• Technical assistance is already available to nursing homes:
  • QIOs, consultants

• ONLY entities with authority and responsibility for monitoring nursing home compliance:
  • CMS, state survey agencies
- CMS/state survey agency money and time should be spent ensuring a strong, effective survey and enforcement system

- If CMS/state survey agencies don’t do this – no one will