

RED ALERT: CMS NURSING HOME COMPARE WEBSITE TO ADD RED ALERT ICONS FOR FACILITIES WITH ABUSE AND NEGLECT CITATIONS

Centers for Medicare & Medicaid Services (“CMS”) is **revising** its Nursing Home Compare Five-Star Quality Rating System to add a red alert icon to a skilled nursing facility's profile if the facility has had a high-level abuse citation and/or repeat abuse citations.

CHANGES TO CMS NURSING HOME COMPARE WEBSITE

On October 7, 2019, CMS **announced** additions to the skilled nursing facility information available to the public on its **Nursing Home Compare** website. Beginning October 23, 2019, CMS will display a red alert icon on the website's profile for a skilled nursing facility, if that facility has been cited for incidents of abuse, neglect or exploitation.

The Nursing Home Compare website displays information about skilled nursing facilities. The information includes whether a facility meets federal standards with respect to health and safety compliance inspections, staffing levels and quality measure performance. Previously, the public could view information about past instances of abuse citations at a skilled nursing facility but needed to follow several steps on the website to locate this information from the facility's health inspection reports.

NEW RED ALERT ICON

CMS has defined the criteria it will use to determine when it will add the red alert icon to a facility's Nursing Home Compare website profile. The criteria includes if the facility has had:

- A harm-level abuse citation in the most recent survey cycle. This would include facilities cited for abuse where residents were found to be harmed (Scope/Severity of G or higher) on the most recent standard survey or on a complaint survey within the past 12 months.
- Repeat abuse citations. This would include facilities cited for abuse where residents were found to be potentially harmed (Scope/Severity of D or higher) on the most recent standard survey or on a complaint survey within the past 12 months and on the previous (i.e., second most recent) standard survey or on a complaint survey in the prior 12 months (i.e., from 12 to 24 months ago).

Skilled nursing facilities that receive the red alert icon will have their health inspection rating capped at a maximum of two stars. Due to the methodology used to calculate the overall rating, the best overall quality rating a facility that has received the red alert icon can have is four stars.

To ensure CMS is providing the latest information, the red alert icon will be updated monthly, at the same time CMS inspection results are updated.

CMS stated that the red alert icon will be removed once the most recent inspections indicate the skilled nursing facility has remedied the issues that caused the citations for abuse or potential for abuse and no longer meets the criteria for the red alert icon.

CMS DEFINITION OF ABUSE

In announcing its additions to the skilled nursing facility information available to the public on its Nursing Home Compare website, CMS noted that abuse is defined as a deficiency of any of these tags:

- F600 - Protect each resident from all types of abuse, such as physical, mental, sexual, physical punishment and neglect by anybody.
- F602 - Protect each resident from the wrongful use of the resident's belongings or money.
- F603 - Protect each resident from separation from other residents, his/her room or confinement to his/her room.
- F223 - Protect each resident from all abuse, physical punishment and involuntary separation from others.
- F224 - Protect each resident from mistreatment, neglect and misappropriation of personal property.

PRACTICAL TAKEAWAYS

- CMS will add a red alert icon to the profile of a skilled nursing facility if a facility has had a high-level abuse citation and/or repeat abuse citations.
- Facilities need to take prompt action to address these citations and remedy the issues that caused the citations for abuse or potential for abuse.
- Facilities should continue to monitor their profile to ensure the information is current and accurate.

If you have questions or would like additional information about this topic, please contact:

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