



COMPLIANCE CONSULTING
GROUP, LLC

Memorandum

March 26, 2020

Please see below for Compliance Consulting Group's latest update as we continue to deal with the upheaval and uncertainty related to COVID-19.

In its most recent directive, CMS announced additional COVID-19-related changes to its nursing home survey and inspection plans for the next three weeks. During this timeframe, State Survey Agencies and CMS surveyors will prioritize and conduct surveys (including revisit surveys) related to complaints and facility reported incidents that are triaged at the Immediate Jeopardy level, for all allegations. Additionally, federal CMS and State Surveyors will conduct Focused Infection Control Surveys in areas deemed necessary through collaboration with the CDC and HHS Assistant Secretary for Preparedness and Response (ASPR). This shift in approach is designed to allow CMS to continue providing protections to residents in facilities, while also allowing facilities to adapt and adjust to changes in protocols necessitated by the spread of COVID-19.

Specifically, CMS has announced that, for the next three weeks, only the following surveys will be conducted:

1. Complaint or facility-reported incident surveys and resurveys that are considered to be at the level of Immediate Jeopardies,
2. Targeted Infection Control surveys of facilities in areas most in need of additional oversight, as identified through collaboration with the CDC and ASPR, and
3. Infection Control Self-Assessments,
 - CMS and the CDC developed an Infection Control Self-Assessment to be used in facilities during the COVID-19 pandemic. CMS expects each facility to use this new process, in conjunction with the latest guidance from the CDC, to perform a voluntary self-assessment of their ability to prevent the transmission of COVID-19. **This document may be requested by surveyors, if an onsite investigation takes place.**
 - CMS encourages facilities to voluntarily share the results of the Infection Control Self-Assessment with their state or local health department Healthcare-Associated Infections (HAI) Program.
 - Your state's contact information can be found at <https://www.cdc.gov/HAI/state-based/index.html>.

A copy of the Infection Control Self-Assessment tool has been attached to this email. This document should be reviewed and completed as soon as possible, as it may be requested as part of an onsite investigation.

The CMS guidance also reminds facilities of the requirement to have a system of surveillance designed to identify possible communicable diseases or infections before they can spread to other persons in the facility, and when and to whom possible incidents of communicable disease or infections should be reported. The CDC recommends that facilities notify their health department about residents with severe respiratory infection, or a cluster of respiratory illness (e.g., > or = 3 residents or HCP with new-onset respiratory symptoms within 72 hours). Please bear in mind, however, that local and state reporting guidelines or requirements may vary.

It is critical to note that if state or federal surveyors are unable to meet the Personal Protective Equipment (PPE) expectations outlined by the latest CDC guidance to safely perform an onsite survey due to lack of appropriate PPE supplies, they are NOT permitted to enter your facility and they must obtain any information remotely, to the extent possible.

We are always available to discuss your concerns:
(718) 408-8989 | www.ComplianceCG.com