COVID-19 Public Health Emergency (PHE) Tip Sheet

The Skilled Nursing Facility Quality Reporting Program (SNF QRP)

Quality data for the SNF QRP are collected and submitted using:

- Minimum Data Set (MDS)/Resident Assessment Instrument (RAI).
- Medicare fee-for-service (FFS) claims.

SNF QRP Exception and Extension Policy for Extraordinary Circumstances

The Centers for Medicare & Medicaid Services (CMS) recognizes that there are instances where an extraordinary or extenuating circumstance beyond the SNF's control (e.g., natural disasters) may delay or prevent submission of required data. CMS has developed an Exception and Extension for Extraordinary Circumstances policy, which has two parts:

- Provider-initiated requests for exception or extension for extraordinary circumstances.
- CMS-initiated waivers for exception or extension for extraordinary circumstances that are based on Federal Emergency Management Agency (FEMA)-designated natural disasters.

Temporary SNF QRP Exceptions Due to COVID-19 PHE

In the March 27, 2020, Medicare Learning Network (MLN) memo, CMS announced temporary relief for SNFs and other providers in QRPs in response to COVID-19. These temporary exceptions due to this PHE lifted the requirements to report data to assist SNF providers while they directed their resources toward caring for patients and ensuring the health and safety of patients and staff.

Specific quarters for which SNFs are excepted from reporting of data on measures and standardized patient assessment data required under the QRP program for calendar years (CYs) 2019 and 2020 are listed below and **end on June 30, 2020**:

- October 1, 2019–December 31, 2019 (Q4 2019)
- January 1, 2020–March 31, 2020 (Q1 2020)
- April 1, 2020–June 30, 2020 (Q2 2020)

What Happens When the SNF QRP Exceptions Expire?

The temporary exception for SNF quality reporting requirements **end on June 30, 2020. Starting on July 1, 2020**, SNFs are expected to resume timely quality data collection and submission of measure and patient assessment data for the MDS/RAI. There are no submission requirements for Medicare claims data.

Data Submission After July 1, 2020
Which MDS records should you submit?

The MDS should be submitted for all new admission records and discharge records that occur on or after July 1, 2020. The submission deadline for Q3 data (July 2020–September 2020) is February 15, 2021. The submission deadline for Q4 measure data (October 2020–December 2020) is May 15, 2021.

Timely submission and acceptance requirements of MDS data to meet the 80-percent threshold are unchanged. SNFs are required to submit at least 80 percent of the necessary data to calculate the SNF QRP quality measures. The compliance threshold calculation is based on the number of MDS assessments submitted with complete data on each MDS assessment used for the SNF QRP.

Flexibilities (Waivers) Due to the PHE

In addition to the SNF QRP exceptions, CMS also issued flexibilities/waivers for the duration of the PHE. On March 30, 2020, the Interim Final Rule with Comment Period Medicare & Medicaid Programs; Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency (IFC-1) announced flexibilities for SNFs and other post-acute care providers serving Medicare beneficiaries in order to respond effectively to the serious public health threats to ensure that Medicare patients can continue receiving services without jeopardizing patients' health or the health of those providing services during the PHE. Below are two examples of the waivers in effect for SNFs:

- **3-Day Prior Hospitalization:** Using authority under Section 1812(f) of the Act, CMS is waiving the requirement for a 3-day prior hospitalization for coverage of a SNF stay.

- **Reporting Minimum Data Set:** CMS is waiving 42 CFR 483.20 to provide relief to SNFs on the timeframe requirements for Minimum Data Set assessments and transmission.

Note: Flexibility waivers will remain in place for the duration of the COVID-19 PHE.

Delay in Updated Assessment Instrument and Guidance Manual

With the release of IFC 2 on April 30th, CMS delayed the release of the updated versions of the MDS needed to support the Transfer of Health (TOH) Information quality measures and new or revised Standardized Patient Assessment Data Elements (SPADES) to provide maximum flexibilities for providers of SNFs to respond to the COVID-19 PHE.

The release of the updated version of the MDS (v1.18.1) will be delayed until October 1 of the year that is at least 2 full fiscal years after the end of the COVID-19 PHE. For example, if the COVID-19 PHE ends on September 20, 2020, SNFs will be required to begin collecting data using the updated versions of the item sets beginning with patients discharged on October 1, 2022.

Resources

The Interim Final Rule with Comment Period (IFC): https://www.cms.gov/files/document/covid-final-ifc.pdf.

The Interim Final Rule with Comment Period released April 30, 2020, (IFC-2): http://hhs.com/assets/docs/CMS-5531-IFC%20WEBPOSTING%20MASTER%20(04-30-20).pdf.

For the March 27, 2020 Medicare Learning Network memo regarding CMS guidance related to relaxed quality reporting requirements: https://www.cms.gov/files/document/guidance-memo-exceptions-and-extensions-quality-reporting-and-value-based-purchasing-programs.pdf.

For program guidance and information about the CMS response to COVID-19: https://www.cms.gov/About-CMS/Agency-Information/Emergency/EPRO/Current-Emergencies/Current-Emergencies-page.

For more information about SNF Flexibilities to Fight COVID-19: https://www.cms.gov/files/document/covid-long-term-care-facilities.pdf.

For COVID-19 Emergency Declaration Blanket Waivers for Health Care Providers: https://www.cms.gov/files/document/covid19-emergency-declaration-health-care-providers-fact-sheet.pdf.

For additional information about the MDS assessment instrument and accompanying guidance manual: https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/MDS30RAIManual.

For updates and announcements regarding the SNF QRP visit the Spotlight & Announcements web page: https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/Skilled-Nursing-Facility-Quality-Reporting-Program/SNF-Quality-Reporting-Program-Spotlights-and-Announcements.

For the CMS SNF QRP Landing Page: https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/Skilled-Nursing-Facility-Quality-Reporting-Program/SNF-Quality-Reporting-Program-Overview.

SNF QRP: Requirements for the FY 2021 Reporting Year: https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/Downloads/SNF-QRP-Requirements-for-the-Fiscal-Year-FY2021-Program-Year+.pdf.

Email questions to the SNF Help Desk at: SNFQualityQuestions@cms.hhs.gov.