



Center for Medicaid, CHIP, and Survey & Certification/Survey & Certification Group

Ref: S&C: 11-17-NH

**DATE:** March 18, 2011

**TO:** State Survey Agency Directors

**FROM:** Director  
Survey and Certification Group

**SUBJECT:** April and July 2011 Changes to Nursing Home Compare - Nursing Homes

Memorandum Summary

- **Changes to Nursing Home Compare:** Identifies forthcoming changes to Nursing Home Compare required by the Affordable Care Act.
- **Details of Changes:** Changes include information to facilitate reporting of complaints, additional information on residents rights, and facility-specific listing of number of complaints and enforcement actions taken against the facility.

The purpose of this memorandum is to describe changes that the Centers for Medicare & Medicaid Services (CMS) will make to the Nursing Home Compare website <http://www.medicare.gov/> on April 23, 2011 and on July 21, 2011. CMS is soliciting comments about these website changes. CMS will be evaluating the website in a systematic way, including seeking comments from stakeholders and visitors to the site. Based on these evaluations, CMS will continually making revisions to the website in the future.

Section 6103 of the Affordable Care Act requires that a wide variety of new information be posted on Nursing Home Compare at different time intervals. On April 23<sup>rd</sup>, CMS will make three changes to Nursing Home Compare. The first change will be to add information to allow consumers to more directly file complaints about nursing homes with State Survey Agencies. These changes include adding links from Nursing Home Compare to State complaint websites and making State phone numbers and fax numbers more prominent on Nursing Home Compare. CMS is also adding a standardized complaint form that consumers can use in cases where they prefer to submit a complaint by fax.

The second change that will take place on April 23 is to add a more visible consumer rights section that clearly spells out resident and consumer rights and provides more information about courses of action that consumers can take if they feel that their rights are being violated. This section will also have information on how to choose a nursing home and the Long-Term Care Ombudsman program.

In July 2011, CMS will make an additional change to Nursing Home Compare to display information for each nursing about the number of substantiated complaints received and about the number of enforcement actions (specifically Civil Money Penalties and Denials of Payment for New Admissions) that have been levied.

Finally, in addition to changes mandated by the Affordable Care Act, on April 23 CMS will “freeze” quality measure data and the five star quality measure ratings currently on the website for a period of six months. The quality measures displayed on Nursing Home Compare since January 2011 reflect MDS 2.0 data submitted during quarters one, two and three of 2010. Historically, CMS has updated quality measure data each quarter. However, new MDS 3.0-derived quality measure data are not yet available for display, so CMS will retain the current QM scores and star ratings until October 2011. We anticipate that new MDS 3.0 QM data will be available in early 2012.

If you have further questions, please contact Deme Umo at [Deme.umo@cms.hhs.gov](mailto:Deme.umo@cms.hhs.gov).

**Effective Date:** The information contained in this memorandum is current policy and is in effect for all healthcare facilities. State Survey Agencies should disseminate this material within 30 days of the date of this memorandum.

**Training:** This clarification should be shared with all Survey & Certification staff, surveyors, their managers, and the State/ Regional Office training coordinators.

/s/

Thomas E. Hamilton

cc: Survey & Certification Regional Office Management