



Center for Clinical Standards and Quality/Survey & Certification Group

Ref: S&C: 13-22-NH

DATE: April 5, 2013

TO: State Survey Agency Directors

FROM: Director
Survey and Certification Group

SUBJECT: Life Safety Code (LSC) Short Form Survey for Nursing Homes – Limited Option

Memorandum Summary

- **LSC Survey Focus:** In FY2013 and FY2014 we undertake the dual challenge of (a) responding to resource limitations under the new budget sequester, and (b) enforcing the August 13, 2013 requirement that all nursing homes be fully sprinklered. The fire safety record of nursing homes has improved due to the installation of automatic sprinkler systems, and should continue to improve as more nursing homes complete full installation of sprinkler systems.
- **Efficiency and Effectiveness:** Increasing survey efficiency will enable CMS and States to best maintain public protections while meeting these challenges.
- **State Option:** We will permit States - at State option - to implement a Short Form Fire Safety Survey for a limited number of specified facilities that have demonstrated superior compliance with life safety code requirements and are fully sprinklered.
- **Training:** States using the Short Form life safety code survey process must ensure that surveyors participate in a prior special training event.

Background

We seek to increase survey efficiency by further developing procedures that permit the amount of survey time for life safety code inspections to be more closely calibrated in accordance with the assessed degree of risk in particular facilities. These procedures will allow surveyors to spend more time with facilities whose life safety code compliance poses greater risk to residents, and less time with those above-average facilities where life-safety code compliance is superior. Such improved targeting of surveyor time is important to (a) meet the resource limitations of the recent sequester-required budget reductions (while maintaining optimum public protection), (b) respond to the added challenge of enforcing the August 13, 2013 deadline for all nursing homes to be fully equipped with a system of automatic sprinklers, and (c) ensure that Medicare and Medicaid funds are used in the most efficient and effective manner.

There has been a reduction in fire deaths in Medicare- and Medicaid-certified nursing homes over the past several years. Much of this reduction can be attributed to the installation of

automatic fire sprinkler systems, together with stepped up CMS oversight of life-safety code that we began in FY2005.

We are making available to States – at State option – a Short Form survey process that may be used only for those fully sprinklered nursing homes with a superior LSC compliance track record that are identified on the confidential list that CMS makes available to the State Survey Agency (SA). Attachment A includes the basic instructions.

In nursing homes that have full automatic sprinkler systems, this Short Form life safety code survey process will concentrate resources on the most important aspects of fire safety, leaving more time and resources to be spent on: 1) facilities that do not have a high level of fire safety and 2) facilities with a history of fire safety deficiencies. Only facilities that are considered to be fully sprinklered, do not have any significant waivers of LSC requirements, and are not certified by the use of the Fire Safety Evaluation System (FSES) will be considered for the use of the short form survey.

CMS Selection Criteria and Process

Beginning in FY2013 and at the beginning of each year thereafter, CMS will send each State a list of facilities that qualify for use of the Short Form survey process.

For the selected nursing homes, the Short Form may be used to collect data on a specific set of K tags (identified below). These identified K tags will give a core indication of the facility fire safety status. However, if initial survey findings (from assessment of the identified K tags below) indicate that there are serious problems, then the survey must be expanded to cover additional K tags. The Short Form itself already contains more than the initial set of K tags, so the survey may easily be expanded while the survey team is onsite, or a full survey may be scheduled.

We will not eliminate the use of the longer fire safety survey process or the FSES in implementing this Short Form life safety code survey process.

To be eligible for the Short Form process the facility must:

1. Be fully sprinklered;
2. Generally not have any waivers or use the Fire Safety Evaluation System – Health Care (FSES/HC) to be certified;
3. Have not been cited for K0062 Sprinkler Maintenance, K0054 Smoke Detector Maintenance, K0050 Fire Drills, K0104 Smoke Barriers and 0051 Fire Alarms in the last two years.
4. Not have more than 2 survey cycles since the last Long Form survey was conducted.

We may subsequently adjust these criteria based on what we learn from the results of LSC surveys over time.

The SA may determine who completes the Short Form survey process, provided every surveyor who will conduct the Short Form process has first completed the CMS Short Form survey

training. We expect that this training will be available via webinar. Short Form surveys might then be completed by health surveyors who have participated in a webinar in which specific K tags are reviewed; or by surveyors who ordinarily complete fire safety surveys (such as State Fire Marshals or other Health Department staff who may complete fire safety surveys on a regular basis).

We will issue a subsequent communication to States with:

1. Details of the training event(s).
2. The list of facilities in each State from which the State may select for the optional Short Form survey process.

If you have any questions or suggestions concerning this option, please contact James Merrill via email at James.Merrill@cms.hhs.gov.

/s/

Thomas E. Hamilton

Attachment: Shortened Fire Safety Survey Process (draft)

cc: Survey and Certification Regional Office Management

Attachment: Life Safety Code – Targeted LSC Short Form - Special Survey Instructions

Purpose

Use of the CMS Short Form 2786R (6/2007 edition) for selected nursing homes is intended to increase survey efficiency by permitting the amount of survey time to be more closely calibrated in accordance with the assessed degree of risk in particular facilities. In short, these procedures will allow surveyors to spend more time with facilities whose life safety code compliance poses greater risk to residents, and less time with those above-average facilities where life-safety code compliance is superior.

Use of the Short Form (SF) is optional for the State Survey Agency (SA).

Procedures

Use the existing Short Form 2786R (6/2007 edition) to gather select survey information from key K tags. Use of the existing form will expedite the process as it is already available and is part of the data system currently in place. Surveyors are familiar with the format of the form and it has been used in the past as a screening tool to decide if a full more detailed LSC survey should be performed.

The SF may be used only for those fully sprinklered nursing homes with a superior LSC compliance track record that are identified on the confidential list that CMS makes available to the State Survey Agency (SA).

For the selected nursing homes, the SF may be used to collect data on a specific set of K tags (identified below). These identified K tags will give a core indication of the facility fire safety status. However, if initial survey findings (from assessment of the identified K tags below) indicate that there are serious problems, then the survey must be expanded to cover additional K tags. The Short Form itself already contains more than the initial set of K tags, so the survey may easily be expanded while the survey team is onsite, or a full survey may be scheduled.

The K tags selected for SF review are concentrated in the maintenance of fire protection systems in the facility, fire drills for staff, means of egress availability and emergency electrical power where installed. In order to identify that the SF survey process was used, surveyors will need to indicate that the SF form was used by coding a “7” (indicating Short Form use) on the Crucial Data Extract form. See the SCREEN SHOT on the last page of this memorandum.

Key K Tags for the Short Form Survey

The following K tags are proposed to be reviewed by surveyors on-site:

K38 - Exit access:

Surveyor shall observe while moving throughout the facility that exit doors are not obstructed by chairs or carts etc. and has a properly lighted exit sign marking it.

K39 - Exit corridor width

Surveyor shall observe while moving throughout the facility that the exit corridor width is at least 8 feet clear and unobstructed.

K47 - Exit signs operational:

Surveyor while moving throughout the facility will observe the operation of the installed exit sign i.e. are they light internally and can they be seen from a distance. Surveyor should observe that nothing is obstructing the viewing of the exit sign.

K50 - Fire drills:

Surveyor shall review facility records to determine that fire drills were held at least once per shift per quarter and that staff in all parts of the facility participated. Review records of staff training that was held at least annually.

K52 - Fire alarm system properly maintained

Surveyor shall review facility records to determine that the fire alarm system has been inspected at least quarterly and any problems found have been corrected by the next quarterly inspection.

K62 - Automatic sprinkler system properly maintained

Surveyor shall review facility records to determine that the automatic sprinkler system has been inspected at least quarterly and any problems found have been corrected by the next quarterly inspection.

K72 - Means of egress unobstructed by furnishings and decorations

Surveyor while moving throughout the facility will observe that the means of egress from the facility is not obstructed by furnishings and decorations such as chairs, carts not in use and furniture. Means of egress door shall not be covered or hidden in any way by mirrors, drawings or decorations.

K144 - Emergency generator properly maintained

Surveyor shall review facility records to determine that the generator has been inspected weekly and operated for at least 30 minutes monthly.

K211 - Alcohol based hand rubs properly used

Surveyor while moving throughout the facility will observe the operation of installed alcohol based hand rubs installed in corridors shall not exceed 1 liter in quantity, not placed over carpeting except in fully sprinklered nursing homes, and are not placed over electrical outlets or equipment.

For K tags 50, 52, 62 and 144 compliance is determined by the review of records required to be kept by the facility. K tags 38, 39, 47, 72 and 211 can be observed in the normal course of moving from room to room as part of the broader survey if health surveyors are used to perform this short form survey. None of the tags selected require any above ceiling inspections for example to observe smoke barriers or a special tour of the facility to determine compliance for example to observe hazardous areas and corridor door latching.

**FIRE SAFETY SURVEY REPORT
CRUCIAL DATA EXTRACT
(TO BE USED WITH CMS-2786 FORMS)**

PROVIDER NUMBER K3	FACILITY NAME	SURVEY DATE *K4
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K6 DATE OF PLAN APPROVAL	K3 MULTIPLE CONSTRUCTION	A BUILDING
	TOTAL NUMBER OF BUILDINGS _____ <input type="checkbox"/>	B WING
	NUMBER OF THIS BUILDING _____	C FLOOR
		D APARTMENT UNIT

LSC FORM INDICATOR

Health Care Form		
12	2786R	2000 EXISTING
13	2786R	2000 NEW
ASC Form		
14	2786U	2000 EXISTING
15	2786U	2000 NEW
ICF/MR Form		
16	2786V, W, X	2000 EXISTING
17	2786V, W, X	2000 NEW

*K1 SELECT NUMBER OF FORM USED FROM ABOVE

COMPLETE IF ICF/MR IS SURVEYED UNDER CHAPTER 21

SMALL (16 BEDS OR LESS)

K8: 1 PROMPT
 2 SLOW
 3 IMPRACTICAL

LARGE

K8: 4 PROMPT
 5 SLOW
 6 IMPRACTICAL

APARTMENT HOUSE

K8: 7 PROMPT
 8 SLOW
 9 IMPRACTICAL

ENTER E - SCORE HERE

K8: e.g. 2.5

(Check if K29 or K56 are marked as not applicable in the 2786 M, R, T, U, V, W, X and Y.)

K29: K56:

*K9: FACILITY MEETS LSC BASED ON (Check all that apply)

A1. (COMP. WITH ALL PROVISIONS) A2. (ACCEPTABLE POC) A3. (WAIVERS) A4. (FSES) A5. (PERFORMANCE BASED DESIGN)

FACILITY DOES NOT MEET LSC

B.

K0180 A. FULLY SPRINKLERED (All required areas are sprinklered) B. PARTIALLY SPRINKLERED (Not all required areas are sprinklered) C. NONE (No sprinker system)

* MANDATORY