



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

June 10, 2020

AMENDED February 5, 2021

AL TSA: NH #2020-038

**AMENDED: QSO-20-31-ALL: COVID-19 SURVEY ACTIVITIES, CARES ACT FUNDING,
ENHANCED ENFORCEMENT FOR INFECTION CONTROL DEFICIENCIES, AND
QUALITY IMPROVEMENT ACTIVITIES IN NURSING HOMES**

Dear Nursing Facility/Home Administrator:

AMENDMENTS: On January 4, 2021, CMS released a revised edition of [QSO-20-31-ALL](#). For Nursing Homes, updates, which are effective immediately include: 1) Revised criteria for state agencies to conduct focused infection control surveys; 2) A FAQ section related to health, emergency preparedness and life safety code surveys, along with a list of waived F tags and K tags; 3) Updated contact information. For questions about enforcement: DNH.Enforcement@cms.hhs.gov. For questions about survey activities: NHSurveyDevelopment@cms.hhs.gov.

Since the COVID-19 pandemic began, the Centers for Medicaid/Medicare Services (CMS), in coordination with the Centers for Disease Control and Prevention (CDC), has provided ongoing technical guidance and assistance to all Medicare and Medicaid certified facilities. On June 1, 2020, CMS released [QSO-20-31-All](#) that outlines directives for Nursing Homes and State Survey Agencies (SA).

The memorandum outlines:

- CMS has initiated performance-based funding requirements tied to the Coronavirus Aid, Relief, and Economic Security (CARES) Act supplemental grants for State Survey Agencies. Part of the funding available to SAs through the CARES Act will be contingent on the completion of focused infection control surveys, and available funding will be reduced if those surveys are not completed for every nursing home by July 31, 2020.
- CMS has added additional survey activities to the focused infection control surveys. SAs must:
 - Perform on-site surveys (within 30 calendar days of this memo) of nursing homes with previous COVID-19 outbreaks. The QSO memo defines an outbreak for the purposes of this survey requirement.
 - Perform onsite surveys (within three to five business days of identification) of any nursing home with three or more new COVID-19 suspected and confirmed cases since the last National Healthcare Safety Network report or one confirmed case in a facility that was previously COVID free.
 - Starting October 2020 (federal fiscal year 2021), perform focused infection control surveys of 20% of nursing homes based on state discretion or data that identifies facility and community risk.
- To transition states to more routine oversight and survey activities, once a state has entered Phase 3 of the Nursing Homes Re-opening guidance (in [QSO-20-30](#)), or earlier, **at the state's discretion**, states are authorized to expand beyond the current survey prioritization (Immediate Jeopardy, Focused Infection Control, and Initial Certification surveys) to perform:
 - Complaint investigations that are triaged as Non-Immediate Jeopardy-High
 - Revisit surveys of any facility with removed Immediate Jeopardy (but still out of compliance),

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- Special Focus Facility and Special Focus Facility Candidate recertification surveys, and
- Nursing home recertification surveys that have not been conducted for more than 15 months since the last recertification survey.
- CMS has enhanced enforcement for infection control deficiencies. The penalties for noncompliance are more significant for nursing homes with a history of past infection control deficiencies, or noncompliance that causes actual harm to residents or Immediate Jeopardy.
- CMS is implementing increased Quality Improvement Organization (QIO) support so they can assist facilities with infection control training and technical assistance. Nursing homes can locate the QIO responsible for their state here: <http://www.qioprogam.org/locate-your-qio>.

QSO-20-31-ALL is effective immediately. The guidance will cease to be in effect when there is no longer a federal Public Health Emergency due to COVID-19. At that time, CMS will send public notice that this guidance has ceased to be effective via its website. If you have questions about the memo, please address them to: DNH_Enforcement@cms.hhs.gov.

Thank you for your continued commitment to client health and safety. If you have any questions, please contact your local RCS Field Manager.

Sincerely,



Mike Anbesse, Director
Residential Care Services

DSHS: "Transforming Lives"