



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

July 17, 2020

ALISA: NH #2020-045
QSO-20-28-NH-REVISED NURSING HOME FIVE STAR QUALITY RATING SYSTEM
UPDATES, NURSING HOME STAFF COUNTS, FREQUENTLY ASKED QUESTIONS
AND ACCESS TO OMBUDSMAN

Dear Nursing Facility/Home Administrator:

The Centers for Medicare and Medicaid Services (CMS) has released resources, guidelines, and tools over the past few months to help facilities prevent and control the transmission of COVID-19. With [QSO-20-28-NH](#), CMS clarified information related to COVID-19. The memo also provided information about the Nursing Home Compare & Five Star Quality Rating System and staffing information.

On July 9, 2020, CMS released [QSO-20-28-NH-Revised.pdf](#) that provides additional information on access to the Ombudsman program. CMS is reminding facilities that providing ombudsman access to residents is required:

- Sections 1819(c)(3)(A) and 1919(c)(3)(A) of the Social Security Act (the Act) and implementing regulations at 42 CFR 483.10(f)(4)(i)(C), require that a Medicare and Medicaid certified nursing home provide representatives of the State Long-Term Care Ombudsman with immediate access to any resident. During the COVID-19 Public Health Emergency, in-person access may be restricted. If in-person access is not advisable due to infection control concerns and transmission of COVID-19, facilities must facilitate resident communication (e.g., by phone or through use of other technology) with the ombudsman.
- Additionally, CMS is ensuring nursing homes and other stakeholders are aware the Coronavirus Aid, Relief, and Economic Security (CARES) Act does not repeal or amend CMS requirements to provide resident access to the Ombudsman program. Instead, the CARES Act affirms that the Ombudsman program and nursing homes must support resident access to, and communication with, the Ombudsman program.

For additional information regarding resident access to the Ombudsman, please see the Frequently Asked Questions (FAQ) on Nursing Home Visitation in the revised CMS memo.

Thank you for your continued commitment to resident health and safety. For questions related to the FAQ, please email DNH_TriageTeam@cms.hhs.gov. For any other questions, please contact Lisa Herke, Nursing Home Policy Program Manager at (509) 209-3088 or lisa.herke@dshs.wa.gov.

Sincerely,

Candace Goehring, Director
Residential Care Services

DSHS: "Transforming Lives"