



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

October 7, 2024

AL TSA: NH #2024-048

**COMPLETION OF THE NURSING HOME (NH) INFORMAL
DISPUTE RESOLUTION (IDR) PANEL PILOT PROJECT**

Dear Nursing Facility/Home Administrator:

On June 10, 2022, we informed you about the NH IDR Pilot Project through Dear Provider Letter, [NH #2022-035](#).

The Pilot started **August 2022**, using a Panel Process to review IDR requests. The pilot was intended to be a six-month project. However, the COVID-19 public health emergency extended the pilot project to allow further review of the data and provide recommendations.

The pilot was successful based on evaluations and feedback from participants and stakeholders and has resulted in permanent changes to the NH IDR process. The IDR Program will continue to use the panel process for NH IDRs, and it will also provide the option for a provider to choose the previous traditional process (meeting one-on-one with an IDR Program Manager).

Effective September 1, 2023, the changes and clarifications outlined below have been implemented as a result of the NH Pilot Project. These changes/clarifications are **only** for NH IDR requests and are as follows:

- Providers who are requesting a review of four or more citations must use the traditional IDR process. Only providers disputing three or fewer citations may choose to have them reviewed by the panel.
- The panel will not make minor editorial changes to the Statement of Deficiency (SOD). Requests for such changes will be directed back to the local field office who initially completed the SOD. A minor or simple edit means a change to a SOD that would not lead to modification, deletion, or removal of a violation, parts of a violation, or an enforcement remedy imposed by the Department of Social and Health Services.
- The panel is composed of one provider representative, one Residential Care Services' (RCS) staff member, one consumer advocate, and a panel chair. However, only the provider representative, RCS staff, and consumer advocate are voting members. The IDR panel may meet as long as there is a quorum (must include at least one provider and one RCS representative, not including the panel chair).
- If the Panel Chair disagrees with the panel recommendation and feels it is not consistent with State or Federal regulatory requirements, the decision will be reviewed by the RCS Business Operations Office Chief and Division Director.
- Providers are given 30 minutes to present their reason for dispute with one individual presenting all citation(s) in dispute. A maximum of three nursing home employees or representatives may attend the IDR. All individuals may answer the panelist's questions.
- RCS staff are given 20 minutes to present their reason to uphold the citation(s). RCS staff are allowed only one staff present each citation. However, if there is more than one citation in dispute, there can be a different presenter for each citation provided that the total presentation time does not exceed the 20-minute time frame.
- The disputing provider is given a brief rebuttal period after the RCS presentation. The amount of time allotted for rebuttal is at the discretion of the panel chair.

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- The timeline to request an IDR, regardless of the type, remains 10 calendar days from receipt of receiving the SOD or Enforcement letter.
- For a panel IDR, the disputing provider is given 20 calendar days from the time they receive the SOD to submit relevant documents for panel IDR requests. Any supporting documentation/evidence not submitted within the 20-calendar day timeframe, will **not** be considered during the panel IDR.
- For a traditional IDR, the process will not change. Relevant documents should be submitted within seven calendar days of the scheduled IDR.

The most significant challenge to the process was volunteer panelist participation. More panelist participation is necessary for sustainability of the panel.

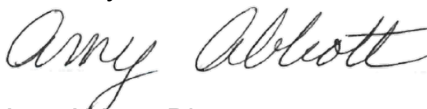
The IDR unit is continuing to accept applications for volunteers. If you are a provider or consumer advocate interested in participating on an NH IDR Panel, please submit a brief letter of your interest along with a volunteer application (DSHS 15-186). You can submit documents to RCSIDR@dshs.wa.gov or via fax (360) 725-3225. The IDR unit will be collecting IDR panel application materials on an ongoing basis. If you have questions regarding this opportunity, please contact Laci Traulsen, Volunteer Coordinator, at (360) 725-3218.

The IDR Unit is diligently working to develop policies and procedures consistent with the above changes as well as updating the [RCS NH IDR website](#). **Please read the NH IDR guidelines carefully as updates occur.** Continue to follow the process to request an IDR listed in the SOD or your Enforcement letters.

Thank you for your continued commitment to resident health and safety.

If you have any questions, please contact Rebecca Fueston, IDR Unit Manager, at (360) 725-3203 or Rebecca.fueston@dshs.wa.gov.

Sincerely,



Amy Abbott, Director
Residential Care Services

DSHS: *"Partnering with People"*

Related References: [Informal Dispute Resolution \(IDR\) website](#)

[NH Panel Guidelines](#)

Dear Provider Letter [NH #2022-035](#)