



CMS to Return to Normal Survey Process

Centers for Medicare and Medicaid Services instructs states to return to normal survey process as soon as possible

Centers for Medicare and Medicaid Services (CMS) issued a Quality, Safety & Oversight (QSO) [memo](#) to states today instructing them to return to normal survey process as soon as resources in the state allow and in accordance with states' reopening plans. It also provides guidance on how to resolve pending enforcement actions suspended as a result of prior QSO memos on March 23, 2020 and June 1, 2020 that suspended some survey enforcement actions during the COVID-19 pandemic.

On March 23, 2020, CMS issued the QSO 20-20-All memorandum, which limited survey activity to focused infection control surveys. On June 1, 2020, CMS issued the QSO 20-31-All memorandum that provided survey re-prioritization guidance to transition to more routine oversight and survey activities. This latest memo instructs states to restart all normal surveys as possible.

CMS intends to resolve suspended enforcement cases and provide guidance for closing them out going forward starting today. This process involves four components that are described in the QSO memo:

1. Expanding the Desk Review policy for Plans of Corrections (POCs);
2. Processing enforcement cases that were started **BEFORE** March 23, 2020;
3. Processing enforcement cases that were started **ON** March 23, 2020, **THROUGH** May 31, 2020; and
4. Processing enforcement cases that were started **ON OR AFTER** June 1, 2020.

CMS is also issuing updated guidance for the re-prioritization of routine state survey agency (SA) Clinical Laboratory Improvement Amendments (CLIA) survey activities, subject to the SA's discretion, in addition to lifting the restriction on processing CLIA enforcement actions, and issuing the Statement of Deficiencies and Plan of Correction (Form CMS-2567) for CLIA citations.

Providers with questions about past enforcement actions suspended during the pandemic should contact their state survey agency for guidance as there are many scenarios that may not be fully addressed by this memo.

Per CMS, questions about a specific enforcement cycle may be addressed with the specific CMS location.

- Long-Term Care questions should be addressed to: DNH_Enforcement@cms.hhs.gov
- CLIA questions should be addressed to: LabExcellence@cms.hhs.gov

General questions for AHCA should be sent to COVID19@ahca.org

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