
GREATER NEW YORK HEALTH CARE FACILITIES ASSOCIATION

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Memo 24-29

To: Administrator, Owners, DNS, Medical Directors, MDS Coordinator and QA Committee

From: Mary Gracey-White RN, Director of Regulatory Compliance

Date: November 20, 2024

**Re: CMS QSO-25-07-NH - Revised Long-Term Care (LTC) Surveyor Guidance:
Significant revisions to enhance quality and oversight of the LTC survey process**

As you may be aware CMS issued a Survey and Certification Memo regarding Revised LTC Surveyor Guidance effective **February 24th, 2025**. This includes upcoming changes to the survey process including revised regulations to Appendix PP and the Critical Element pathways used by surveyors. Key changes are outlined below.

Chemical Restraints/Unnecessary Psychotropic Medication:

- The regulations and guidance for the unnecessary use of psychotropics are now its own category at **F605**. Additional guidance has been added for residents/representatives to be informed of new medications as well as increased dosages and their right to refuse as well as clear interdisciplinary documentation of non-pharmacological measures that have been implemented.
- Unnecessary Medications (F757) has been revised to only include guidance for non-psychotropic medications.

Admission, Transfer, and Discharge:

- F620 Clarified that third Party guarantee of payment language is prohibited in admission agreements.
- To reduce the overlapping of citations regarding discharges F-tags F622 – 625 and F660 – F661 were removed and compliance with discharge and discharge process were changed to Inappropriate Transfers and Discharges (F627) and Transfer and Discharge Process (F628). The language “resident initiated “and “facility initiated “discharge was removed.

Medical Director: F841

- Clarification regarding the medical director's responsibilities was added to F841 Medical Director. This includes the Medical Director's responsibility to oversee physicians and other practitioners' adherence to facility PPs for prescribing coordinating resident medical care.
- Interviewing the facility Medical Director was added to the Unnecessary Medications and Quality Assurance & Performance Improvement (QAPI) pathways.

Accuracy/Coordination/Certification MDS: F641

- Instructions for investigating Minimum Data Set (MDS) assessment accuracy and determining whether noncompliance exists when a concern related to insufficient documentation to support a medical condition is identified for a resident receiving an antipsychotic medication were added to the guidance in F641.
- Coordination/Certification of Assessment (F642) has been deleted.

Comprehensive Assessment After a Significant Change: F663 AND F677

- Language was updated to reflect the levels of assistance a resident receives for self-care and mobility activities to align with section GG of the MDS.

QAPI/QAA: F867

- Guidance related to health equity concerns was added.

Cardio-Pulmonary Resuscitation (CPR): F678

- Emphasis on staff certification in CPR was added as well as updates to CPR certification to align with current nationally accepted standards.

Pain Management: F697

- Revisions to the guidance for acute, chronic, and subacute pain were made to align with CDC definitions.
- Resource links on opioid use were updated and expanded.
- CMS clarified that clinicians may consider prescribing immediate-release opioids instead of extended-release or long-acting options and emphasized the need for individualized opioid treatment plans.

Physical Environment: F918

- Revisions were made to allow facilities that receive approval of construction from State or local authorities or are newly certified after Nov. 28, 2016, with two

single occupancy rooms with one bathroom to meet the bedroom and bathroom facility requirements without undergoing major rehabilitation.

Infection Prevention and Control: F880

- Enhanced Barrier Precautions (EBP) language was added along with new deficiency examples.

COVID-19 Immunizations: F887

Guidance in the previously issued CMS Memo QSO-21-19-NH regarding education to residents and staff, was incorporated into Appendix PP

In addition, the Critical Element (CE) Pathways for these categories were updated. Also please note that in multiple areas CMS has instructions for surveyors to observe for psychosocial harm when issuing citations. CMS has indicated that Training for these changes for surveyors and providers will be made available after the release of their Memo in the Quality, Safety and Education (QSEP) portal at <https://qsep.cms.gov>. As of today, the training is not yet posted. We will continue to provide updates as they become available. Please contact us if you need additional information.