



Center for Clinical Standards and Quality/Survey & Certification Group

**Admin Info: 15-09-Hospice**

**DATE:** November 14, 2014

**TO:** State Survey Agency Directors

**FROM:** Director Survey and Certification Group

**SUBJECT:** The Improving Medicare Post-Acute Care Transformation Act of 2014 (IMPACT) Act 2014- New 36-Month Maximum Survey Interval- Hospice Agencies

**Memorandum Summary**

- **The IMPACT Act of 2014:** The IMPACT Act of 2014 mandates that Medicare certified hospices be surveyed no less than every 36 months starting six months after the enactment of the Act.
- **Hospice Surveys:** States must plan and be prepared to conduct hospice surveys of approximately 1/3 of the hospices in their states every three years, beginning no later than April 6, 2015, to achieve full compliance by April of 2018.
- **Training:** The Survey and Certification Group (SCG) will provide training opportunities for new surveyors or existing surveyors needing cross-train or refreshing, as well as auxiliary support for hospice surveys through a national contractor for those States that may not be able to achieve compliance within a three-year period.

**Background**

Beginning six (6) months from the date of enactment of the IMPACT Act of 2014, April 6, 2015, each Medicare certified hospice must be surveyed no less frequently than every 36 months. To achieve this mandate, additional funding is available through 2025.

Prior to the IMPACT Act, State Agencies (SAs) were directed, through the SCG Mission and Priority Document (MPD), to survey hospice agencies at an interval of 6.5 to 7 years. The MPD describes the priority of survey completion for various providers in tiers numbered one (higher priority) through four (lower priority). Tier I surveys includes those providers where there is a statutory requirement for survey frequency, e.g. nursing homes and home health agencies. Hospice surveys were included in Tiers 2 to 4. The IMPACT Act provides the statutory basis to place hospice surveys in Tier 1, through 2025.

**Discussion**

Compliance with the IMPACT Act of 2014 will require that each SA identify a strategy to ensure that hospices in their state are surveyed every 36 months. Thus, all hospices must be surveyed between April 6, 2015 and April 6, 2018. To achieve this, States will need to survey 1/3 of hospices each year and to utilize a time frame that is slightly less than 36 months to ensure that all surveys are completed within three years.

This memorandum includes data on the status of hospice surveys by Region and State, as of October 2014. The ROs and States can use this data to quickly estimate the number of hospice surveys that are overdue and what constitutes their 1/3 requirement. Additional data will be provided to the States, via the ROs, at the hospice level, which States can use to prioritize how to distribute hospices in the 1/3 per year strategy. States may choose to prioritize which hospices are done first using:

1. Time since the last survey (interval);
2. Information from previous surveys (including complaints);
3. Indicators drawn from claims data, provided by the Centers for Medicare and the Center for Program Integrity, which potentially identify problematic hospices (provided to the ROs by the Central Office); or
4. Other information the state may have that increases the risk to beneficiaries.

The CMS plans to utilize a national contractor to provide some assistance to those States that anticipate difficulties eliminating their hospice back-log. The ROs are requested to communicate with their respective states to identify:

1. How each SA plans to address the mandate of the IMPACT Act;
2. The number of surveys each State can conduct given the availability of funding (that is how many hospice surveys the State could conduct if money were no object); and
3. What additional training resources the state needs to train new surveyors or to cross-train/refresh current surveyors.

The SCG requests that each RO provides a summary of the above to Annette Snyder by December 1, 2014.

To meet the potential surveyor training needs, the Basic Hospice surveyor training will be offered March 23-27, 2015. This will be live, web-based training for new surveyors or existing surveyors who need cross-training/refreshing. If needed, the course will be repeated.

If you have any questions regarding this memorandum, please contact Annette Snyder at [Annette.snyder@cms.hhs.gov](mailto:Annette.snyder@cms.hhs.gov) or at 410-786-0807.

**Effective Date:** This policy will be effective immediately. Please ensure that all appropriate staff is fully informed within 30 days of the date of this memorandum.

**Training:** This policy should be shared with all survey and certification staff, their managers and the State/RO training coordinator.

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/s/  
Thomas E. Hamilton

Attachment- Hospice Survey Status by Region and State as of October 2014

cc: Survey and Certification Regional Office Management