Joint Provider Surveyor Training
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Nursing Home State Licensure Survey Preparedness

Bureau of Community & Health Systems (BCHS)

Matt Jordan, State Licensing Manager
Shawne Cripps, Health Care Surveyor
Who we are and what we do:

State Licensing Section of the Health Facility Licensing, Permits, and Support Division within BCHS

- State Licensing facilities:
  - 1300 Substance Use Disorder Facilities
  - 462 Nursing Homes
  - 161 Hospice Agencies and Residences
  - 142 Freestanding Surgical Outpatient Facilities (FSOF)
  - 170 Hospitals
  - 58 Psychiatric Facilities
Who we are and what we do:

- Nursing Homes: 462 in Michigan, all of which require at least state licensing to operate
- Federal certification is optional (all but about 14 choose to have both state licensing and federal certification)
Who we are and what we do:

The State Licensing Section activities now operate separately from those involving Federal Certification...

Separate surveys, separate complaint investigations
Different purposes, different expectations (more on this later)
How are facilities licensed?

A state licensure survey is required to be performed before a license is issued, per the Public Health Code Act 368 of 1978

- Section 201 outlines the requirements of all healthcare facilities to which the Department issues a license
- Section 217 details the requirements for nursing homes specifically

Public Health Code permits Administrative Rules to be drafted:

- Nursing Home Administrative Rules specifically reference the details and day-to-day licensing requirements of your facilities
How are facilities licensed?

A new nursing home must go through multiple layers of review and oversight before reaching state licensing review.

- Certificate of Need for the issuance of new beds and/or the physical building
- Facilities Engineering for construction
- Life Safety Code
- Local ordinances, review, and inspection

State Licensing serves as a clearing house for the above activity. Our team does not begin our licensing process until an application is received and approval from the above is communicated.
How are facilities licensed?

Public Acts 59 and 104 of 2015 synchronized the survey review cycles and most of the license fees for the health facilities covered by State Licensing.

• Hospitals, Nursing Homes, Psych, Surgery Centers, Hospice, and Substance Use Disorder programs all now have the same survey review cycle:

“At least one visit to each licensed health facility or agency every three years...”
How are facilities licensed?

At least one visit to each licensed health facility or agency every three years...

Note that this says “at least once every three years”. State Licensing could visit more often if there is a necessity to do so:

• Compliance action
• Complaint investigation
• Bad actor
• Other real and potential issues or threats
How are facilities licensed?

A pre-licensure inspection by State Licensing is required before the issuance of a new license for a new or changed facility.

• Initial license application fee: $2,000

• Annual license fee: $500, plus $3 per bed over 100 beds

All health facilities licensed by State Licensing are $500 now, with slight variations for bed taxes, etc.
How are facilities licensed?

Key point regarding licensing and triennial (at least once every three years) survey:

**Licensing action and survey are now separate actions**

- Licensing action occurs every year and expires July 31\textsuperscript{st} of each year
- Survey is untied from licensing; it is a review of the operating requirements within the Public Health Code and the Administrative Rules
  - Also, complaint investigations are separate actions as well
State Licensing

The nine most terrifying words in the English language:

“I’m from the government and I’m here to help.”
How to prepare for a State Licensing Survey
How to prepare for a State Licensing Survey

KEEP CALM AND BE PREPARED
How to prepare for a State Licensing Survey

Remember, the purpose of a State Licensing Survey is different than that of a Federal Certification visit.

• State Licensing will be conducting the survey to assure that the facility is meeting the minimum requirements for licensing
  – Looking at facility, staffing, record keeping, operations, etc

• Our goal is to make sure facilities are in compliance, and to take steps to bring facilities up to compliance
How to prepare for a State Licensing Survey

First and foremost, review the Public Health Code and the NH Administrative Rules

- Visit our website to find the Code and Rules: [http://www.michigan.gov/lara/0,4601,7-154-63294_63384_75668---,00.html](http://www.michigan.gov/lara/0,4601,7-154-63294_63384_75668---,00.html)

- Public Health Code Part 201 and Part 217

- NH Administrative Rules
How to prepare for a State Licensing Survey

Surveyors have prepared an informal checklist of the Code and Administrative Rules
• Often called the “Met/Not Met” checklist

How to best prepare for a survey: read and review the Code and Administrative Rules. It’s that simple!
How to prepare for a State Licensing Survey

Reminder: A State License is required to open and operate

• Federal certification is optional based upon a facility’s desire to be reimbursed by CMS for Medicare and Medicaid (and others)
How to prepare for a State Licensing Survey

• Entrance
• Review of survey process and methodologies
• Request for documents
• Record review
• Evaluation of postings and required notices
• Tour, bed count, meds and supplies overview
• Room conditions (including sinks and showers)
• Facility areas (kitchen, sanitation, generator)
• Policy and procedure reviews
• Interviews with administrative staff
• Exit meeting
Stories from the field

Dr. Surveylove or: How I Learned to Stop Worrying and Love the Survey
Stories from the field

Shawne Cripps, State Licensing Surveyor

• **Goal:** Ensure compliance with the code/rules
• **Language:** Specific in parts, vague in other areas
• **But:** Every single area is important!
• **You:** No need to make it stressful, we are here to help
• **Us:** We will walk you through the process
Stories from the field

Shawne Cripps, State Licensing Surveyor

• **What to expect:** Between 8 to 14 hours over one or two days for an average size facility

• **Outcome:** The state licensure survey process is designed to identify, review, and coach facilities into compliance

• **Identify:** Compliance as well as best practices that fit into the required items under the rules
Shawne Cripps, State Licensing Surveyor

- **Opportunities:** The State License survey allows for immediate correction and quick turn-around correction (within a week or so)

- **Available, but not our goal:** State Licensing can immediately cite for egregious problems and faults, but it is not the planned outcome. Compliance and bringing facilities up to compliance remains the goal
Shawne Cripps, State Licensing Surveyor

• **Involvement:** The survey process actively works with facilities and discusses the process as we work through the rule set

• **Ask and discuss:** The survey process will allow for facilities to ask questions and discuss as we work through the review
Stories from the field

Shawne Cripps, State Licensing Surveyor

• **Outcome:** The results of the survey will be written in letter form. Once the letter is received via email, the facility prints the letter. The compliance letter serves as evidence of the licensure compliance survey.

• **Correction Plan:** A facility can provide proof of correction prior to the letter being sent for some lesser issues. Other items may require a longer correction plan or a re-visit.
Stories from the field

Shawne Cripps, State Licensing Surveyor

Common issues found
The Future...

Coming soon...

• Waiver from State Licensing survey process
  – Allows facility to show most recent Federal Certification survey to stand in the place of a State Licensing visit
  – Cannot have any compliance issues with Fed survey
  – Still at the discretion of State Licensing

• Electronic checklists to produce real-time survey letters
Thank you for your efforts to provide quality community & health care services to Michigan residents.