

REPORT HIGHLIGHTS



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CMS Could Improve Oversight of States' Use of Contract Surveyors for Nursing Home Surveys

Why OIG Did This Audit

- [CMS](#) oversees the certification and regulation of approximately 15,000 nursing homes nationwide. Federal law requires nursing homes to protect residents and comply with Medicare and Medicaid rules. CMS relies on States to monitor and enforce compliance.
- Because of staffing shortages and survey backlogs—exacerbated by the COVID-19 pandemic—many States and CMS increasingly have come to rely on contract surveyors to conduct nursing home surveys.
- This audit assessed whether CMS adequately oversees State survey agencies' (SAs') use of contract surveyors to conduct these surveys in accordance with Federal requirements.

What OIG Found

- CMS did not provide adequate oversight of States' use of contract surveyors to conduct nursing home surveys.
- During our audit period, CMS issued a memo to SAs outlining contracting practices SAs could use to ensure that contract surveyors meet Federal requirements, but CMS did not monitor whether SAs implemented practices that achieved the memo's underlying objectives.
- Our survey of 14 States that used contract surveyors found that all 14 could have improved their policies and procedures to ensure that the CMS guidelines were met.

In the absence of CMS monitoring and oversight, there is an increased risk that SAs have not implemented sufficient controls to ensure that contract surveyors meet Federal requirements when performing nursing home surveys.

What OIG Recommends

We made two recommendations to CMS, including that it add worker classification (i.e., employee or contract surveyor) as a required entry in its quality improvement and evaluation system and confirm that SAs have policies and procedures in place to ensure that contract surveyors performing nursing home surveys meet Federal requirements. The full recommendations are in the report.

CMS concurred with both recommendations.