



CMS directive orders state agencies to increase weekend surveys of skilled nursing facilities

February 27, 2019

Staffing in long-term care facilities significantly affects the care delivered to residents. Since July 2016, nursing homes have been reporting staffing data electronically through the payroll-based journals (PBJ) system. Data submitted provides the number of hours that direct care staff is paid to work each day. In April 2018, the Centers for Medicare & Medicaid Services (CMS) began using PBJ data to calculate staffing levels and star ratings for the [Nursing Home Compare website](#).

Based on audits of the PBJ data, CMS became concerned that some nursing homes are reporting several days in a quarter without a registered nurse (RN) onsite and/or significantly low nurse staffing levels on weekends, potentially impacting risk to resident health and safety. To address this concern, CMS will provide state agencies with a list of nursing homes with potential staffing issues, those with significantly low nurse staffing levels on weekends and those with several days in a quarter without an RN on site. State agencies are now required to conduct at least 50 percent of required off-hours surveys on weekends using this list of nursing homes.

To ensure consistent reporting throughout the PBJ system, the CMS PBJ Policy Manual and Frequently Asked Questions mandate nursing homes to deduct a meal break of at least 30 minutes per shift from reporting staff time. This policy is necessary for two reasons: First, some staff work through meal breaks, and, second, some nursing homes pay for meal breaks, while others do not. For those who sometimes work through meal breaks or a portion of their meal breaks, there is no way to verify from payroll the portion of the meal break spent working versus eating. Allowing some nursing homes to report hours for paid meal breaks as “staffing time” results in inconsistent reporting levels of staffing. To further clarify consistent reporting of “staffing time,” nursing

homes must allocate the time that universal workers spend providing certified nurse aide services versus time spent on housekeeping services or food preparation, for example.

Authors

**Christine Kenney**

Director of Regulatory Services,
INCompliance

Columbus

614.227.4865

ckenney@bricker.com