

Principles of Documentation Large Group Discussion Non-Long
Term Care Learning Activity

Description

Objective: Given a discussion question, the surveyor will describe aspects of the appeal process and the evidentiary requirements used to complete the Form CMS-2567.

Materials Needed: Standard size paper

Total Time for Activity: 30 minutes (*Activity times are highly dependent on class size and dynamics. The time given is approximate.)

Prior to Class: Read the Principles of Documentation discussion questions. Make notes about key points to make with the surveyors.

Step:	Preceptor Instructions	Activity Time:
1.	Divide class into groups of four. Distribute discussion questions to each group. (Option: Discuss questions as a large group.)	5 min.
2.	Instruct surveyors to read and discuss the discussion questions within their groups. After approximately ten minutes, assemble the class as a large group.	10 min.
3.	Within the large group, facilitate a discussion about each of the questions. Identify key points and share examples based on surveyor responses.	10 min.
4.	Debrief the discussion.	5 min.

Surveyor:

Date:

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Discussion Questions

1. Discuss the importance of an effective survey and proper documentation in determining the compliance or noncompliance of an entity.
2. What is a formal reconsideration?
3. Describe the next step an entity encounters if it is determined to no longer meet the requirements and is subject to termination or alternate sanctions.
4. List the documents used to record instances of noncompliance.
5. Describe the role of the Administrative Law Judge (ALJ).
6. Describe the role of the Departmental Appeals Board (DAB).

Surveyor:

Date:

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Discussion Questions (Answers)

1. Discuss the importance of an effective survey and proper documentation in determining the compliance or noncompliance of an entity.

Consistent and accurate documentation is imperative during the entire survey and certification process as it forms the basis for the record and the certification decision. The documentation may also be reviewed in any subsequent hearing before an Administrative Law Judge (ALJ) of the Departmental Appeals Board (DAB).

2. What is a formal reconsideration?

A formal reconsideration is a thorough, independent review of the entire body of evidence that resulted in the prior decision.

3. Describe the next step an entity encounters if it is determined to no longer meet the requirements and is subject to termination or alternate sanctions.

If an entity is determined to no longer meet the requirements and is subject to termination or alternate sanctions, the actual or projected termination may be appealed through an evidentiary hearing before an Administrative Law Judge (ALJ).

4. List the documents used to record instances of noncompliance.

Form CMS-2567, surveyor worksheets, and narratives.

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5. Describe the role of the Administrative Law Judge (ALJ).

The Administrative Law Judge (ALJ) is usually not a health professional; therefore, it is important that the surveyor present the findings in plain language. The ALJ relies on the testimony of witnesses and the documentation from the survey in making a decision. The ALJ issues a written decision as to whether or not the entity should be found in compliance with the requirements of the program.

6. Describe the role of the Departmental Appeals Board (DAB).

If either CMS or an entity is dissatisfied with an Administrative Law Judge decision or dismissal, it may file a request for review to the Departmental Appeals Board (DAB) Appellate Division. If an entity is dissatisfied with the DAB decision, the entity has the right to seek judicial review; CMS does not.