



Missouri Association of Nursing Home Administrators

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CMS Rating System is Dangerous

Recently, the Centers for Medicare and Medicaid Services (CMS) released the results of its first 5-Star Rating System for nursing home facilities. In theory, families could use this rating system to compare and contrast care facilities when looking for elder care. The Missouri Association of Nursing Home Administrators (MANHA) believes the rating system is seriously flawed and could dangerously mis-lead the public. "Our concern is that families will use the flawed rating system to evaluate a nursing home's ability to care for their loved one. If the data is wrong and the resulting rating is wrong, the family could be mis-directed to a nursing home facility which is unable to provide the expected care or the family could avoid a facility, based on the flawed rating system, which could have provided excellent care for their family member," said Cindy Wrigley, MANHA Executive Director. "The data collected is not consistent, there is no opportunity to correct mistakes in the recorded data, and the interpretation of the data varies greatly between any two facilities."

Wrigley points out that nursing home facilities have historically filed Form 671, an accounting of nursing hours, with CMS. In the CMS survey, the staffing formula weighs heavily on practical RN hours and gives little or no value to administrative RN hours, both of which are needed to operate a safe, caring nursing facility. If a patient develops bed sores during a hospital stay and is then transferred to a nursing home, the nursing home's survey rating is dropped by the presence of the bed sores. Thus, the nursing home is penalized for a pre-existing condition which the staff are treating. Another concern is the issue of pain which the survey addresses. Many elderly patients experience chronic pain which both the physicians and nursing home staff do their best to address. Since the survey allows no room for particular diagnoses, the mere presence of pain can drop a nursing home's rating.

When the recent survey results were released, several of nursing homes were not happy with their rating and questioned CMS about the particular data used to make that rating. Errors were identified in the data, some resulting from a clerical error on the part of the nursing home and some as a result of inaccurate reporting from the state. The nursing homes were informed by CMS that no changes could be made to the data or resulting

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rating until the next annual reporting. The CMS survey rating system is new and untested. If CMS is interested in providing accurate quality measurements to the public, there should be a method to correct and/or update the data used to form the rating.

The problems with the new CMS rating system don't center only around the gathering and updating of data. "The interpretation of that data appears to be very subjective," Wrigley states. "As an example, one of our member's facilities and another one within a 25 mile radius were listed as having 0 deficiencies on the data reported for health inspections. However, one facility received a 4-Star rating and the other received a 5-Star rating. If a facility receives 4 stars for 0 deficiencies, how can a facility earn a 5-Star rating?"

Wrigley goes on to say, "One of our members told me: 'All I can tell you about the rating system is that I think my own facility's rating (4 stars) is accurate – for all the wrong reasons. While our score might have been helpful to use in marketing, etc., I don't advertise it, because I know it wasn't the product of a fair and accurate assessment and I worry that it will eventually slip lower, as the result of the same unfair and inaccurate assessment process. And what will I tell people then? That it was accurate last month, but this month it's not?'"

Another concern with the rating system is the omission of non-government-funded nursing facilities. Those facilities which do not receive government funding are not included in the CMS rating system. That puts these facilities at a distinct disadvantage when families conduct research on the CMS site.

In the development of the rating system, CMS did not take advantage of the wealth of information and perspective which could have been provided by working with the industry associations, such as American Health Care Association (AHCA).

"Families looking for elder care are vulnerable and need to have an accurate tool to assist them in their search. Unfortunately, the CMS Star Rating System is not that tool. By collecting the data haphazardly, not allowing for timely corrections in that data, mis-interpreting the results, and publishing the erroneous ratings, CMS is not helping families. Instead, the result is a dangerous, reckless publication of misinformation which can lead families to select the wrong facility for their loved ones. People should know that the assessment instruments are still very fallible." Wrigley reported.

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