

Comparing CMS Standard Surveys and Complaint Investigations

in Assessing the Scope and Severity of Mistreatment in Nursing Homes

Summary

The Centers for Medicare & Medicaid Services (CMS) conducts both recertification inspections and complaint-based investigations of nursing homes that receive Medicare or Medicaid reimbursement for services. Recertification inspections, or “standard surveys,” are required annually, on average, following initial certification to assure compliance with federal standards and monitor resident safety and care. Noncompliance results in the issuance of deficiency citations, which reflect the scope and severity of the violation. There are four core deficiency citations specific to mistreatment (including abuse/seclusion, neglect, and misappropriation), and two collateral citations related to mistreatment (untreated pressure sores and physical restraints). Unlike standard surveys, complaint investigations are initiated largely by residents and family members and are conducted close in time to the alleged misconduct. Both standard surveys and complaint investigations are implemented by state survey agencies (SSA). Pi-Ju Liu and colleagues analyzed deficiency citations issued from 2014 to 2017 to every CMS-certified nursing home in the United States to determine if investigations triggered by consumer complaints resulted in more serious citations as compared with standard inspections.¹

Methods

The study team procured CMS data for all state survey citations issued in the United States from Fall 2014 to 2017. Data for the six deficiency violations relating to mistreatment were used for the study. This data set was further divided into two groups: citations resulting from complaint investigations and those from standard inspections. Finally, the relationship between the type of investigation and resulting citations were analyzed and compared.



Results

- Out of the 15,045 U.S. nursing homes, 68% had at least one core or collateral deficiency citation during the relevant three-year period
- A higher number of deficiency citations for two core deficiencies (abuse/seclusion and mistreatment) resulted from complaint investigations
- A higher number of collateral deficiency citations resulted from standard surveys

Key Takeaways

- Investigations triggered by complaints were more likely to result in citations with greater scope and severity
- These results are likely due to complaint investigations being unannounced, individualized, and occurring closer to the date of report when evidence of mistreatment was more likely to be found
- This study identified the need to improve surveyors' ability to detect mistreatment during standard surveys
- Through complaint reports, residents and family have the potential to hold nursing homes accountable for mistreatment

Implications for Practice

Future practice efforts may focus on augmenting SSA surveyors' ability to detect and investigate abuse. Enhanced surveyor training, unannounced surveyor site visits, and increased surveyor staffing levels are recommended. Other interventions to mitigate resident mistreatment include increasing funding for long-term care ombudsman programs and educating residents and family members about their right to report mistreatment.



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