

2017 SNF Quality Reporting Reconsideration and Exception & Extension archives

Notice: November 02, 2017

Please review the Disaster Exceptions/Exemptions for Medicare Certified Providers memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to the Northern California Wildfires.

Notice: September 28, 2017

Please review the Hurricane Maria - Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Maria.

Notice: September 14, 2017

Please review the Hurricane Irma - Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Irma.

Notice: August 31, 2017

Please review the Hurricane Harvey - Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Harvey.

Reconsideration

Reconsideration Request Overview

In the Skilled Nursing Facility Prospective Payment System Final Rule 80 FR (46427 through 46429) the Centers for Medicare & Medicaid Services (CMS) finalized the Skilled Nursing Facility (SNF) Quality Reporting Program (QRP) requirements. Any SNF determined to be non-compliant with the SNF QRP requirements may be subject to a two (2) percentage point reduction in their annual payment update (APU) beginning fiscal year (FY) 2018 and each subsequent rate year.

Any SNFs found non-compliant according to the quality reporting requirements will receive a letter sent through at least one of the following notification methods: the Quality Improvement and Evaluation System Assessment Submission and Processing (QIES-ASAP) system, the United States Postal Service (USPS); or via an e-mail from the Medicare Administrative Contractor (MAC). This letter will include instructions for requesting reconsideration of this decision. This letter also includes the reason(s) for failing APU compliance. Instructions to download files in QIES may be found at <https://qtso.cms.gov/providers/nursing-home-mdsswing-bed-providers/reference-manuals>. Providers will be notified regarding the specific method of communication through an announcement on this webpage posted annually following the May 15th data submission deadline- prior to the distribution of the initial notices of non-compliance determination in late spring/early summer. Messaging will include the method of communication for the notices, instructions for sending a reconsideration request, and the final deadline for submitting the request.

What is Reconsideration?

Reconsideration is a request for a review of the initial CMS compliance determination for a given SNF, for a given fiscal year (FY).

When Would a SNF Submit a Reconsideration Request?

SNFs may file for reconsideration if they believe the finding of non-compliance is in error, or they have evidence of the impact of extraordinary circumstances which prevented timely submission of data.

Important Note: Any exception or extension requests submitted for purposes of the SNF QRP will apply to that program only, and not to any other program CMS administers for SNFs, such as survey and certification. MDS requirements, including electronic submission, during Declared Public Health Emergencies can be found at FAQs K-5, K-6, and K-9 on the following link: <http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/downloads/AllHazardsFAQs.pdf>.

Reconsideration Request Process

To apply for reconsideration, the SNF must receive a CMS letter of non-compliance. A SNF disagreeing with the payment reduction decision may submit a request for reconsideration to CMS within thirty (30) days from the date at the top of the non-compliance notification letter. CMS will not accept any requests submitted after the thirty (30) days deadline.

Reconsideration Request

Please note: The only method for submitting reconsideration requests is via email. Requests submitted by any other means will not be reviewed for reconsideration.

SNFs are required to submit their request to CMS via email with the subject line: “**SNF QRP Reconsideration Request**” and include the **SNF CMS Certification Number (CCN)** (e.g., SNF QRP Reconsideration Request, XXXXXX). The request must be sent to the following email address: SNFQRPreconsiderations@cms.hhs.gov.

The email request must contain the following information:

- SNF CMS Certification Number (CCN);
- SNF Name;
- SNF Business Address
- CEO or CEO-designated personnel contact information including name, telephone number, email address, and mailing address (the address must be a physical address, not a post office box);
- CMS identified reason(s) for non-compliance from the non-compliance notification letter;
- Information supporting the SNF belief that either non-compliance is in error, **OR** evidence of the impact of extraordinary circumstances which prevented timely submission of data.
- The request for reconsideration ***must be accompanied by supporting documentation demonstrating compliance***. CMS will be unable to review requests that fail to provide the necessary documentation nor accept any files that are larger than 20 MB (megabytes). Supporting documentation may include any or all of the following:
 - Proof of submission
 - Email communications
 - Data submission reports from the Quality Improvement Evaluation System (QIES)
 - Proof of previous waiver approvals (including disaster exceptions/exemptions)
 - Notification of the CCN activation letter to prove that the CCN was not activated by the end of the reporting quarter
 - Other documentation supporting the rationale for seeking reconsideration

IMPORTANT:

Never include protected health information (PHI), patient identifiable information (PII), or other Health Insurance Portability and Accountability Act (HIPAA) violations in the documentation being submitted to CMS for review. Submitting resident-level data or protected health information may be a violation of your facilities’ policies and procedures as well as violation of federal regulations (HIPAA).

Any documentation submitted for review that includes protected health information (PHI) will not be accepted, nor reviewed for reconsideration. Please redact any PHI prior to sending. If any of the documents included in a reconsideration request contain PHI, the entire request will be rejected.

Review Data Submissions

Please refer to the SNF Quality Reporting Program Data Submission Deadlines webpage for information on Data Collection Timeframes and Submission Deadlines

Reconsideration Request Process Timeline

Below is the **estimated** CMS reconsideration process timeline for FY 2020 payment determination:

- **June - July 2019** - CMS issues notices of non-compliance to SNFs that failed to meet quality reporting requirements via a letter sent using at least one of the following methods:
 - The QIES-ASAP System
 - The United States Postal Service
 - The Medicare Administrative Contractor (MAC)
- **July - August 2019** - Reconsideration requests are due to CMS by the date indicated on the notification of non-compliance from CMS.
- **July - August 2019** - CMS provides an email acknowledgement within five (5) business days upon receipt of reconsideration request.
 - **Please Note:** The SNFQRPreconsiderations@cms.hhs.gov email account will send an auto reply upon receipt of your email. This email auto reply is not the CMS acknowledgement of receipt. If you do not receive a follow-up acknowledgement of receipt within five (5) business days, please resubmit your request.
- **September 2019** - SNFs are notified of the Agency's decision on the reconsideration requests via letter from the MACs and CMS.
- **October 2019** – Annual Payment Update (APU) penalty will be imposed on all providers found to be non-compliant with quality reporting requirements.

Filing an Appeal

SNFs dissatisfied with the reconsideration ruling may file a claim under 42 CFR Part 405, Subpart R (a Provider Reimbursement Review Board [PRRB] appeal). Details are available on the [CMS.gov PRRB Review Instructions](#) website.

Exception and Extension

Exception and Extension Requests Overview

CMS provides SNFs an opportunity to request an exception or extension from the program's reporting requirements in the event they are unable to submit quality data due to extraordinary circumstances beyond their control. SNFs affected by a natural or man-made disaster or other extraordinary circumstances may request an exception or extension by filing a Request for Reconsideration Due to Disaster or Extraordinary Circumstance.

Submission Exception and Extension Process in Cases of Disaster or Extraordinary Circumstances

All SNFs requesting an exception or extension must submit the request within ninety (90) days of the event. CMS may grant the exception or extension for one or more quarters. CMS may also grant the exception or extension to SNFs that have not requested one when an extraordinary circumstance, such as an act of nature, affects an entire region or locale. CMS will communicate through routine channels when such determination is made.

SNFs must request an exception or extension via email with the subject line, "Disaster Exception or Extension Request", and send it to: SNFQRPreconsiderations@cms.hhs.gov. The email must include the following information:

- SNF CCN
- SNF Business Name
- SNF Business Address
- CEO or CEO-designated personnel contact information including name, email address, telephone number, and physical mailing address
- Description of the event (examples provided above) associated with the reason for requesting the exception or extension
- A date when the SNF believes that it will again be able to submit SNF QRP data and a justification for the proposed date.
- Any other documentation supporting the rationale for seeking reconsideration

Response from CMS

CMS will provide a written acknowledgement upon receipt of the exception and extension request. CMS will notify the CEO or CEO-designated contact provided in the request with the decision, via USPS mail and email.

For More Information

For additional assistance, SNFs may submit questions related to the reconsideration or SNF QRP exception and extension request to: SNFQRPreconsiderations@cms.hhs.gov.

Downloads

- [2019-03-IP ListServe Exceptions CA Wildfires Final 1.11.2019 \[PDF, 414KB\]](#)
- [2018-190-IP ListServe Exceptions Michael FEMA FL GA AL 11.30.2018 vFINAL \[PDF, 223KB\]](#)
- [2018-189-IP ListServe Exceptions Florence FEMA NC SC VA Updated 11.30.20 \[PDF, 200KB\]](#)
- [Memo-Applicability-of-Reporting-Requirements-for-Certain-Health-Care Hurricane Nate 2018-02-08.pdf \[PDF, 93KB\]](#)
- [Memo-Applicability-of-Reporting-Requirements-for-Certain-Health-Care December Wildfires 2018-02-08.pdf \[PDF, 86KB\]](#)
- [2017-149-IP Exceptions Harvey FEMA TX LA Updated Final 10-12-17.pdf \[PDF, 66KB\]](#)
- [2017-133-IP ListServe Exceptions Hurricane Maria FEMA PR VI Final 9.25.17.pdf \[PDF, 75KB\]](#)
- [Memo: Applicability of Reporting Requirements for Certain Health Care Facilities Affected by Hurricane Irma – Updated December 11, 2017 \[PDF, 69KB\]](#)
- [Extraordinary Circumstances Extension due to Hurricane Matthew November \[PDF, 49KB\]](#)

•