

MEMORANDUM

Department of Aging and Disability Services (DADS) Regulatory Services Policy * Survey and Certification Clarification (S&CC)

TO: Regulatory Services
Regional Directors and State Office Managers

FROM: Veronda L. Durden
Assistant Commissioner
Regulatory Services

SUBJECT: **S&CC 11-06** — Identifiers and Identifier Key (Replaces S&CC 04-17 and S&CC 06-01)

APPLIES TO: Adult Day Care Facilities, Assisted Living Facilities, Home and Community Support Services Agencies, Intermediate Care Facilities for Persons with Mental Retardation or Related Conditions, and Nursing Facilities

DATE: August 23, 2011

This memorandum provides information regarding identifiers and DADS Form 4060, Regulatory Services Identifier Key. According to State Operations Manual Section 2728A, the statement of deficiencies, documented on Form CMS-2567, is to be prepared according to instructions that are provided in Appendix 7A, Principles of Documentation (PoD). State licensing violations, documented on DADS Form 3724, are also prepared according to the PoD. In this memorandum, references to Form CMS-2567 also apply to DADS Form 3724.

PoD Principle 3 states that an individual's name must not appear in the Form CMS-2567. The identity of recipients of deficient practice or any individuals, including surveyors, who will be referred to in the report must remain confidential. They are included in the report by indicating their identifiers, which can be letters, numbers or a combination of both.

When the person referenced is an entity staff member, the person(s) may be addressed by his or her position, discipline or job title, or be assigned an identifier.

When the deficient entity practice references personnel files or staff training, a separate coding system should be developed to identify the staff affected by the deficient entity practice without using their names.

If an interviewee does not wish the entity to know the source of the information provided, the surveyor may record that information on the Form CMS-2567 without an identifier. The CMS-2567 would state, "During a confidential interview . . ." The surveyor must tell the interviewee that there is no guarantee the information provided will remain confidential in that a court may require confidential information to be disclosed.

The identifier key is used to decipher the coding system used on the statement of deficiencies/ licensing violations. A copy of the identifier key should be submitted to the facility/agency with each statement of deficiencies or violations if identifiers are documented on the forms. However, do not submit the staff identifier key to the facility/agency if linked to confidential information. The use of DADS Form 4060 provides for consistency across programs and regions.

For additional information pertaining to the use of identifiers, see PoD 3. An electronic copy of DADS Form 4060 is available on the DADS intranet website.

If you have questions regarding this memorandum, please contact a policy specialist in the Policy, Rules and Curriculum Development unit, at (512) 438-3161.