

March 31, 2020

State and CMS Survey Activity Guidance for Health Care Facilities during the COVID-19 Pandemic

Background

On March 6, 2020, Governor Tom Wolf issued a Proclamation of Disaster Emergency to enable agencies to respond promptly to the novel Coronavirus disease (COVID-19). To slow the spread of coronavirus disease 2019 (COVID-19) into Pennsylvania, and consistent with the guidance issued by the Centers for Medicare & Medicaid Services (CMS), found at [CMS Prioritization of Survey Activities](#), the Department of Health (DOH) is issuing the following guidance for health care facilities and agencies licensed and certified by DOH.

Interim Guidance for State Licensing Activities

For all Pennsylvania healthcare facilities and agencies licensed by DOH, DOH will conduct surveys for new licenses, should an onsite be necessary. Any additional onsite surveys will be conducted for complaints and incidents that may place the health and safety of patients or residents at risk for serious injury, serious harm or death. DOH will not be doing closure surveys during the disaster declaration.

Additionally, when a DOH surveyor has need to enter a facility, for any of the reasons stated above, the DOH surveyor will follow appropriate infection control measures as provided by the Centers for Disease Control and Prevention (CDC) guidance. The facility shall make all reasonable attempts to provide necessary Personal Protective Equipment (PPE) to the surveyor.

All facility or agency licenses that have expired from March 6, 2020, through the duration of the disaster emergency proclamation, will be extended as needed for 90 days.

CMS Prioritization of Survey Activities

Only the following surveys will be conducted:

1. Complaints and facility reported incidents identified at the immediate jeopardy level. Additionally, a focused Infection Control survey will be conducted at the same time.
2. Targeted focused Infection Control surveys for facilities and agencies identified by CDC and the Assistant Secretary of Preparedness and Responses within HHS.
3. Initial Medicare certification surveys will be conducted based on current guidance and prioritization to increase health care capacity.

Surveys not authorized:

Standard (recertification) surveys (including life safety and emergency preparedness elements) for:

- Nursing homes, hospitals, home health agencies, hospices and intermediate care facilities.
- Revisit or follow-up surveys **not** associated with immediate jeopardy.

With the Governor's authorization as conferred in the Proclamation of Disaster Emergency all statutory and regulatory provisions that would impose an impediment to implementing this guidance are suspended. Those suspensions will remain in place while the Proclamation of Disaster Emergency remains in effect.