

CMS RELEASES SPECIAL FOCUS FACILITY CANDIDATE LIST BUT TRANSPARENCY ISSUES REMAIN

Background. Every month, the Centers for Medicare & Medicaid Services (CMS) identifies nursing homes with an extremely poor record of resident care for inclusion in the Special Focus Facility (SFF) program for enhanced oversight. Due to limited resources, CMS currently caps the SFF program to just 88 facilities nationwide. However, a [June 2019 report](#) by U.S. Senators Bob Casey and Pat Toomey found that CMS identifies an additional 2.5 percent of all certified nursing homes (about 400 facilities) as SFF candidates based on their “persistent record of poor care.”

Days after the report’s release, Dr. Kate Goodrich, a high-ranking CMS official, [indicated](#) that the agency planned to make the candidate list public moving forward. Giving no sign as to when future lists would be available, Dr. Goodrich stated, “CMS urges all Americans to consult their physician, family, and Nursing Home Compare before choosing a nursing home for their loved ones.” As Dr. Goodrich’s statement acknowledges, Nursing Home Compare is the premier resource residents and families use when choosing a nursing home. In a [joint statement](#), our organizations called on CMS to make the candidate list publically available on Nursing Home Compare.

Finding the SFF Candidate List. As of the date of this statement’s publication, the SFF candidate list is now available on Nursing Home Compare but only through a link to a [separate website](#). Because CMS has not integrated the candidate list into Nursing Home Compare, a candidate’s Nursing Home Compare page does not indicate its inclusion on the candidate list.

Consumers Deserve Transparency. Our organizations are concerned that CMS’s failure to integrate the SFF candidate list into Nursing Home Compare may mean that consumers will never know that a nursing home is a SFF candidate. For example, the average consumer looking at New York’s Cayuga Nursing and Rehabilitation Center on Nursing Home Compare would never know that CMS considers it a candidate for the SFF program or that CMS has considered it a SFF candidate for the last 51 months (over four years). **Given that CMS only excludes SFF candidates from the SFF program because of a lack of resources, it is even more critical that CMS properly alert the public when it identifies a nursing home as meeting the SFF criteria because the candidates are not receiving the enhanced oversight that SFFs receive.**

Solution. CMS must integrate the Special Focus Facility candidate list into Nursing Home Compare and place an icon on each candidate’s Nursing Home Compare page which indicates the facility’s status as an SFF candidate.