



**Regulations and beyond:  
Maximizing the Power of Nutrition for successful outcomes**

-Barbara Thomsen CDM CFPP RAC



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**Learning Objectives:**



- Overview of the regulatory requirements food, nutrition, & dining.
- Define the key focus areas for Food & Nutrition Services regulatory compliance.
- Identify how to incorporate “choice” and “voice” for successful regulatory outcomes.



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**“I hear and I forget.  
I see and I remember.  
I do and I understand.”**

**~Confucius**



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## OVERVIEW

# CMS LTC Regulations

\* CMS = Centers for Medicare and Medicaid Services

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## Implementation

Implementation Date	Type of Change	Details of Change
Phase 1: November 28, 2016 (Implemented)	Nursing Home Requirements for Participation	New Regulatory Language was uploaded to the Automated Survey Processing Environment (ASPEN) under current F Tags
Phase 2: <u>November 28, 2017</u>	<u>F Tag numbering</u> <u>Interpretive Guidance (IG)</u> <u>Implement new survey process</u>	<u>New F Tags</u> <u>Updated IG</u> <u>Begin surveying with the new survey process</u>
Phase 3: November 28, 2019	Requirements that need more time to implement	Requirements that need more time to implement

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## OVERVIEW

# CMS LTC Regulations, \$483.60 Food and Nutrition Services

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**F813**  
**§483.60 Food and nutrition services**

**§483.60(i)(3) –facility must have a policy regarding use and storage of foods brought to residents by family and other visitors to ensure safe and sanitary storage, handling, and consumption.**

**GUIDANCE §483.60(i)(3)**

- The facility must have a policy regarding food brought to residents by family and other visitors.
- The policy must also include ensuring facility staff assists the resident in accessing and consuming the food, if the resident is not able to do so on his or her own.
- The facility also is responsible for storing food brought in by family or visitors in a way that is either separate or easily distinguishable from facility food.
- The facility has a responsibility to help family and visitors understand safe food handling practices (such as safe cooling/reheating processes, hot/cold holding temperatures, preventing cross contamination, hand hygiene, etc.). If the facility is assisting family or visitors with reheating or other preparation activities, facility staff must use safe food handling practices.



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**483.60 Food and Nutrition Services**  
**F812 and F813: HOT TOPICS**

- Director of Food and Nutrition Services
- Nutrition and Dietetics Technician, Registered (NDTR)
- ServSafe/Food Safety Certification Requirements
- Expiration dates vs Use By dates
- Hand hygiene with passing trays
- How long food should be left on the steam table
- Use of disposable gloves
- Cooking of unpasteurized eggs- all part must be firm
- Special Events
- Emergency Preparedness: Appendix Z (Source: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html>)



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**Overview**  
**New LTC Survey Process**

- The new survey process builds on the best of both survey processes.
- Process is computer software-based.
- Survey process and software have been tested and validated.
- Three parts to new Survey Process:
  - Initial pool process
  - Sample Selection
  - Investigation

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## Dining – First Full Meal

- Dining – Surveyors will observe first full meal
- Cover all dining rooms and room trays
- Observe enough to adequately identify concerns
- If feasible, observe initial pool residents with weight loss
- If concerns identified, observe another meal
- Dining Observation and Critical Element Pathway (CMS-20053 5/2017)

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## Resident Investigation General Guidelines

Surveyors will:

- Conduct investigations for all concerns that warrant further investigation for sampled residents
- Continuous observations, if required
- Interview representative, if appropriate, when concerns are identified
- Majority of time spent observing and interviewing with relevant review of record to complete investigation
- Use Appendix PP and critical elements (CE) pathways



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## LTC Survey Pathways

▪ **Mandatory:**

- Kitchen Observation (Form CMS 20055 Dated 5/2017)
- Dining Observation (Form CMS 20053 Dated 5/2017)

▪ **Other CE Pathways if concerns:**

- Nutrition Critical Element Pathway (20075)
- Tube Feeding Status Critical Element Pathway (20093)

\* More than 40 Critical Element Pathways that may be used

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## Current F-tags Cited in US

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### SURVEY ACTIVITY 1/1/2018 THRU 3/5/18

- National Total:**
- Standard Surveys: 3,627
  - Complaint Surveys: 16,883

**Deficiencies by Scope and Severity:**  
 B- 438    C- 690    D- 17,128    E- 7,486    F- 1,908  
 G- 884    H- 54    I - 0  
 J- 256    K- 179    L- 63

Source: CMS/CASPER (03/05/2018) - Regions I-X

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### SURVEY ACTIVITY 1/12018 THRU 3/5/18

FTAG	Frequency Cited	# Citations	Total States
F0692 Nutrition/Hydration Status Maintenance	# 19	73	26
F0693 Tube Feeding Mgmt/Restore Eating Skills	# 39	41	16
F0801 Qualified Dietary Staff	# 93	9	8
F0802 Sufficient Dietary Support Personnel	# 136	4	4
F0803 Menus Meet Resident Nds/Prep In Adv/Followed	# 55	22	15
F0804 Nutritive Value/Appear, Palatable/Prefer Temp	# 44	35	17
F0805 Food In Form To Meet Individual Needs	# 85	10	9
F0812 Food Procurement, Store/Prepare/Serve Sanitary	# 3	217	36

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### Survey Experiences



Let's learn from our friends....

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### ANFP Government Affairs 2018 Rallying Cry

CDM's  
*Cultivating* ROOTS!



Rallying Organizations & Officials in Training Standards

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**CHOICE  
&  
VOICE**



Thank You  
and  
Questions



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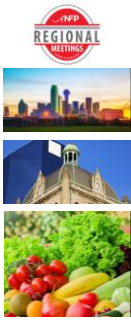
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Barbara Thomsen CDM CFPP , RAC  
Education & Regulatory Outreach Consultant  
Association of Nutrition & Foodservice  
Professionals  
Phone: 800.323.1908 ext. 130  
E-mail: [bthomsen@anfponline.org](mailto:bthomsen@anfponline.org)

[regs@anfponline.org](mailto:regs@anfponline.org)



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