



## DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

7500 Security Boulevard  
Baltimore, MD 21244-1850

**Ref: S&C-01-09**

**DATE:** March 23, 2001

**FROM:** Director  
Survey and Certification Group  
Center for Medicaid and State Operations

**SUBJECT:** Off-Hour Surveys--Clarification

**TO:** Associate Regional Administrator, DMSO  
State Survey Agency Directors

During the Alliance for Consistency conference and the January 2001 Association of Health Facility Survey Agencies Executive Board meeting, clarification was requested on the ten percent off-hour (staggered survey) requirement contained in Section 7200 of the State Operations Manual (SOM). Specifically, questions were raised regarding 1) acceptable starting times for off-hour surveys, 2) the definition of "holiday" and how surveys that begin on holidays should be reflected in OSCAR and 3) whether States must initiate off-hour surveys in each of the targeted time periods (i.e., early morning, evening and weekend). Clarification of HCFA's policy in these three areas follows.

**Acceptable Starting Times for Off-hour Surveys** – SOM §7207 provides that the time of day that surveyors begin off hour surveys should extend beyond the business hours of 8:00 a.m. to 6:00 p.m. and should incorporate evening hours after 7:00 p.m. or morning hours before 7:00 a.m. Therefore, States can include all surveys that begin before 8:00 a.m. or after 6:00 p.m. toward meeting the off-hour survey requirement. Starting times for off-hour surveys will be reevaluated when performance standards are established for FY 2002, and any changes to these requirements will then be reflected in the OSCAR system.

**Definition of Holiday** - In meeting the ten percent off-hour survey requirement States can include surveys that are initiated on weekends. When reporting survey time in the OSCAR system, §7207 provides that survey time on holidays is reported as weekend time. Therefore, surveys initiated on holidays can be counted toward the ten percent off-hour survey requirement. Holidays are defined as those days that are recognized by the State as a State or Federal holiday.

**Early Morning, Evening and Weekend** – The purpose of the off-hour survey requirement is to reduce the predictability of when a survey will occur. In keeping with this intent States must begin some off-hour surveys in each of these targeted time frames (i.e., early morning, evening and holidays/weekend).

**Effective Date:** This policy is effective retroactive to October 1, 2000.

**Training:** This policy should be shared with all survey and certification staff, surveyors, their managers, and the State/Regional Office training coordinator. We are making changes to Chapter 7 of the State Operations Manual to reflect this policy.

/s/

Steven A. Pelovitz