

Center for Medicaid, CHIP, and Survey & Certification/Survey & Certification Group

Ref: S&C: 11-25-PSYCH

DATE: April 29, 2011

TO: State Survey Agency Directors

FROM: Director
Survey and Certification Group

SUBJECT: Clarification of § 482.61(b) (3): Requirements for a Screening Neurological Examination and the Estimation of Intellectual Functioning, Memory Functioning and Orientation for Psychiatric Hospitals

Memorandum Summary

- **Clarification of Complete Neurological Examination:** §482.61(a)(5) states that, “when indicated, a complete neurological examination must be recorded at the time of the admission physical examination.” A deficiency may be cited if the surveyor finds that the psychiatric hospital did not record a complete neurological examination, **if determined and documented as necessary**, by the examining professional at the time of the admission physical.
- **Clarification of Testing Intellectual Functioning, Memory Functioning and Orientation:** §482.61(b)(6) states that, “Each patient must receive a psychiatric evaluation that must - “estimate intellectual functioning, memory functioning, and orientation.” The estimate of intellectual, memory functioning and orientation, should be determined within the context of the psychiatric assessment performed by the examining professional. A deficiency may be cited at §482.61 (b)(3), Contain a Record of Mental Status, if the surveyor finds no documentation in the patient’s record that these areas were addressed by the professional.

Discussion

A. Indication for a Complete Neurological Examination

The regulation at §482.61 (a)(5) requires that, “when indicated, a complete neurological examination must be recorded at the time of the admission physical examination.” At issue is the phrase, “when indicated.” For the purpose of this clarification “when indicated” is determined during the admitting history and physical examination of the patient by the examining professional.

Guidance

When the examining professional notes in the record that further neurological examination is warranted based on his/her professional judgment, then appropriate follow-up should be taken. The only indication of the necessity for a complete neurological examination that the surveyor should look for in the record is a notation by the professional that specifies the need for further neurological investigation. If such documentation by the professional exists in the record, but there is no evidence that follow-up was done then a citation is generally warranted.

B. Estimate Intellectual Functioning, Memory Functioning, and Orientation

The regulation at §482.61(b)(6) requires that each patient must receive a psychiatric evaluation that must “estimate intellectual functioning, memory functioning, and orientation.” The issue is what must be documented in the record in order for the surveyor to determine whether there is compliance with this regulation. In order to put this requirement into appropriate context, the surveyor should refer back to §482.61(b)(3), “Contain a record of mental status;” A professional completing the psychiatric evaluation is able to document in the record an **estimate** of intellectual functioning, memory functioning, and orientation within the context of the examination. An estimate for the purpose of this clarification is an opinion or judgment made by a professional during the psychiatric examination.

Guidance

The surveyor should see documentation within the notes relevant to the psychiatric assessment that the professional addressed the three required areas. There is no requirement that a specific test or tool be recorded, since the estimate of these factors does not have to be measurable. If the surveyor is unable to confirm through documentation in the record that intellectual functioning, memory functioning and orientation were addressed during the psychiatric assessment, then a citation is generally warranted at §482.61(b)(3).

Effective Date: Immediately. This policy should be communicated with all survey and certification staff, their managers and the State/Regional Office training coordinators within 30 days of this memorandum.

/s/

Thomas E. Hamilton

cc: Survey and Certification Regional Office Management