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**Center for Clinical Standards and Quality**

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**Admin Info: 24-01-ALL**

**DATE:** October 06, 2023

**TO:** State Survey Agency Directors

**FROM:** Director, Quality, Safety & Oversight Group (QSOG) and Survey & Operations Group (SOG)

**SUBJECT:** Federal Monitoring Survey (FMS) Additional Guidance

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- The FMS must focus on the State Agency’s (SA) responsibility for survey quality, and it is the SA’s responsibility to ensure that all surveys are conducted by qualified and competent individuals.
  - The SA must not replace the survey team or surveyor once the FMS has been scheduled with the SA unless there is an extenuating circumstance communicated to the CMS Location.
  - The FMS is to monitor the SA’s performance, and it is not to recommend personnel or disciplinary action(s) based on the FMS.

**Background:**

CMS is responsible for the SA’s performance and compliance with the Social Security Act §1864 Agreement. Part of this oversight involves CMS conducting an FMS to review survey performance using a standardized process.

**Discussion:**

The FMS is intended to reflect the SA’s actual performance. The FMS allows a standardized method of SA oversight by CMS of survey performance, provides the SAs with an ongoing mechanism to ensure surveyors consistently interpret the regulations and helps the SAs identify areas for improvement and training. To preserve the integrity of the process, the SA must not replace a surveyor or add to the survey team once the FMS has been scheduled unless an extenuating circumstance is communicated to the CMS Location. The FMS process is an assessment of the performance of the SA, not individual surveyors. The FMS monitors the SA’s performance and identifies specific areas of improvement that the SA must address in collaboration with CMS. The SA is responsible for ensuring that qualified and competent

individuals conduct all surveys. CMS does not recommend personnel or disciplinary action(s) based on FMS findings.

**Contact:**

For questions or concerns relating to this memorandum, please contact the CMS Branch Location office.

**Effective Date:**

Immediately. Please communicate to all appropriate staff within 30 days.

/s/

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Director, Survey & Operations Group

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**Resources to Improve Quality of Care:**

*Check out CMS's [Quality in Focus](#) interactive video series. The series of 10–15 minute videos are tailored to provider types and aim to reduce the deficiencies most commonly cited during the CMS survey process, like infection control and accident prevention. Reducing these common deficiencies increases the quality of care for people with Medicare and Medicaid.*

*Learn to:*

- *Understand surveyor evaluation criteria*
- *Recognize deficiencies*
- *Incorporate solutions into your facility's standards of care*

*See the [Quality, Safety, & Education Portal Training Catalog](#), and select *Quality in Focus*.*