

**Supporting Statement for: Accrediting Organization use of
CMS Online Hospice Basic Training.
CMS-10778/OMB control number: 0938-NEW**

A. Background

This is a request for OMB approval of new package CMS-10778 related to Accrediting Organization (AO) use of CMS online Hospice Basic Training as part of CMS-1747-P.

Division CC, Section 407 of the Consolidated Appropriations Act of 2021 (CAA, 2021), amended Part A of Title XVIII of Act to add a new section 1822 to the Act, and amended sections 1864(a) and 1865(b) of the Act, establishing new hospice program survey and enforcement requirements

Section 1865(a) of the Act allows most health care facilities to demonstrate their compliance with the Medicare conditions through accreditation by a CMS-approved program of an AO, instead of being surveyed by SAs for certification. Currently CMS-approved accreditation programs for facilities under section 1865(a) include Ambulatory Surgical Centers (ASCs); Hospitals; Critical Access Hospitals (CAHs); Home Health Agencies (HHAs); Hospices; Outpatient Physical Therapy (OPT) facilities; End-Stage Renal Disease (ESRD) facilities; and Rural Health Clinics (RHCs). This is referred to as “deeming” accreditation. This is because CMS-approved AOs are recognized by the Secretary as having programs with accreditation standards that meet or exceed those of Medicare. Therefore, any provider or supplier that is accredited by an AO under a CMS-approved accreditation program is deemed by CMS to have also complied with the applicable Medicare conditions or requirements. Accreditation by an AO is generally voluntary on the part of the providers and suppliers, as they have the choice to seek accreditation from an approved AO or seek Medicare certification through the SA.

As of March 2021, there are three AOs with CMS-approved hospice accreditation programs: Accreditation Commission for Health Care, Inc. (ACHC), Community Health Accreditation Partner (CHAP), and The Joint Commission (TJC). These three AOs survey approximately half of the over 5,000 Medicare-certified hospice programs, while the SAs survey the remaining half.

Section 1822(a)(4)(C) of the Act requires the Secretary to provide training for state and federal surveyors, and any surveyor employed by an AO, including a training and testing program approved by the Secretary, no later than October 1, 2021. Further, no surveyor can conduct hospice program surveys until they complete training and testing.

In the proposed rule, CMS-1747-P, CMS states that all SA and AO hospice program surveyors would be required to take CMS-provided surveyor basic training currently available, and additional training as specified by CMS. Pursuant to proposed rule, AO surveyors would be required to complete the online CMS hospice program basic training.

AOs already have voluntary access to our Quality, Safety & Education Portal (QSEP), which contains the CMS training. Currently, the trainings are available free of charge through the QSEP website at <https://qsep.cms.gov>, to providers and all entities conducting surveys, including AOs, and the public at large. QSEP training is accessible on an individual, self-paced basis. The basic training online courses provide surveyors with the key knowledge and skills needed to survey the respective provider or supplier type for compliance with the Medicare conditions and assure an

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adequately trained, effective surveyor workforce. The online courses also help develop and refine surveying skills, promote critical thinking skills, and enhance surveyors' overall ability to conduct and document surveys. Users may access the online courses at any time. This allows surveyors to refresh knowledge regarding Medicare conditions and processes whenever necessary.

B. Justification

1. Need and Legal Basis

In December, 2020, Congress passed the [Consolidated Appropriations Act, 2021 \(CAA, 2021\)](#). Section 407 of CAA, 2021, amended Part A of Title XVIII of the Social Security Act (the Act) at section 1822 establishing hospice program survey and enforcement requirements. This amendment, in part, now requires the Secretary to provide training for state and federal surveyors, and any surveyor employed by an AO, including a training and testing program approved by the Secretary, no later than October 1, 2021. Further, no surveyor can conduct hospice program surveys until they complete training and testing.

2. Information Users

The data collected by CMS through the QSEP training website will be used by CMS to evaluate compliance with the regulatory requirements governing AOs with CMS-approved hospice programs. As part of this collection, CMS will be able to determine which AOs have completed the training, as required and when.

3. Use of Information Technology

The information will be collected electronically through the QSEP website portal as AO surveyors complete the hospice basic training course.

4. Duplication and Similar Information

There is no duplication of collection or information.

5. Small Business

This information collection will not have a significant impact on small businesses.

6. Less Frequent Collection

This information must be collected in conjunction with the statutory and proposed regulatory requirements for AOs with seeking approval or re-approval of a hospice program. This information collection complies with the general guidelines in 5 CFR 1320.6.

7. Special Circumstances for Information Collection

There are no special circumstances associated with this information collection.

8. Federal Register and Outside Consultation

The Notice of Proposed Rulemaking will publish on XX-XX-XXXX

There has been no outside consultation.

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9. Payments or Gifts

There are no payments or gifts associated with this collection.

10. Confidentiality

We pledge confidentiality of training records in accordance with the Privacy Act (5 U.S.C. 552a).

11. Sensitive Questions

There are no questions of a sensitive nature.

12. Estimation of Burden

Reporting burden is based on the approximate number of AO hospice program surveyors that are required to take the online CMS Basic Hospice Training.

To derive average costs, we used data from the U.S. Bureau of Labor Statistics' May 2020 National Occupational Employment and Wage Estimates for all salary estimates (http://www.bls.gov/oes/current/oes_nat.htm). In this regard, the table below presents the mean hourly wage, the cost of fringe benefits and overhead (calculated at 100 percent of salary), and the adjusted hourly wage.

**U.S. BUREAU OF LABOR STATISTICS' MAY 2020 NATIONAL OCCUPATIONAL
EMPLOYMENT AND WAGE ESTIMATES**

BLS Occupation Title	Occupation Code	Mean Hourly Wage	Fringe Benefits and Overhead	Adjusted Hourly Wages
Registered Nurse (RN)	29-1141	\$38.47	\$38.47	\$76.94

The amount of time required to complete each of these training courses varies depending on the pace at which the surveyor is able to read through or listen to the presentation and complete the training. Duration time is based on the estimate that it takes learners approximately 2 minutes per slide. This information is publically available on <https://qsep.cms.gov/welcome.aspx>. We proposed that each AO hospice program surveyor take the hospice basic training course that has an average completion time of 24 hours. Completion time could be more or less depending upon the learner's familiarity with the content and overall learning style. Therefore, a hospice program AO surveyor would incur a time burden of approximately **24 hours** for the completion of this CMS surveyor training course.

The AOs that accredit Medicare certified hospice programs would incur a cost burden for the wages of their surveyors for the time they spend taking these online surveyor training courses. Most surveyors are clinicians such as a Registered Nurse (RN).

As noted, we estimated that it would take approximately 24 hours for each AO surveyor to

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complete the hospice basic training online surveyor course. Therefore, the AO would incur wages in the amount of **\$1,846.56** per each surveyor that completes the CMS online surveyor training (24 hours x \$76.94).

We are not able to precisely estimate total time and cost burden to each AO for the wages incurred for the time spent by all surveyors from each of the three hospice program AOs to take the CMS online surveyor training course, because each AO varies greatly in organization size, number of accreditation programs approved by CMS, and total surveyor cadre numbers. There are no regulatory requirements for AOs to report to CMS on the number of surveyors within their organization nor information on how many of those surveyors survey each type of program approved by CMS. CMS notes there is a wide variety of total surveyor cadre numbers across all three AOs, based on information CMS has gathered from confidential numbers, voluntarily provided by some of the AOs to CMS, as part of their deeming authority application documents as well as information found online via a search of each AOs public website. Variation is generally based on the associated number of CMS-approved accreditation programs the AO possesses. For example, AOs who accredit only one provider or supplier type generally have about 25 surveyors while AOs with multiple programs have surveyor numbers well over 300 thereby skewing the ability to estimate an accurate time burden that represents the overall group. Because of this wide range CMS is estimating near the middle, using 100 total surveyors per AO. If we estimate that each AO has approximately 100 total surveyors, the estimated time burden to each AO associated with this requirement would be **2,400 hours** (24 hours x 100 surveyors).

The estimated cost burden to each AO (that accredits Medicare-certified hospice programs) associated with this requirement would be **\$184,656** (2,400 hours x \$76.94 per hour).

13. Annualized Cost of Burden

Other than the annual cost and time burden stated above, there are no additional annualized costs associated with this collection. The training is available online on a designated website through CMS.gov.

14. Cost to the Federal Government

There are no costs to the federal government.

15. Program Changes / Burden Changes

This is a new collection of information.

16. Publication and Tabulation Dates

There are no publication and tabulation dates associated with this collection.

17. OMB Expiration Date

There are no instruments associated with this data collection.