

EXHIBIT 42

(Rev.)

ORIENTATION & **BASIC TRAINING** PROGRAM FOR THE NEWLY EMPLOYED HEALTH FACILITY SURVEYOR

A. Primary Objective

The primary objective of the orientation and training program for the newly employed health facility surveyor is to prepare the new employee to assume the responsibilities of a health facility surveyor.

Authority: Section 1819G of the Social Security Act mandates that the “Secretary of HHS, through the CMS Administrator, assure that surveyors are trained to make determinations about the Conditions of Participation (CoP) of providers.” Related authority: US Code, Section 1396 – 1396v, Subchapter XIX, Chapter 7 and Title 42. Also: Chapter IV, Title 42, and Title 45, Code of Federal Regulations, and Section 1919(g), “Survey and Certification Process,” subparagraph (iii), “The Secretary shall provide for the comprehensive training of State and Federal Surveyors in the conduct of standard and extended surveys....” “No individual shall serve as a member of a survey team unless the individual has successfully completed a training and testing program in survey and certification techniques that has been approved by the Secretary.”

While the authority above is primarily aimed at the needs of Skilled Nursing Facilities (SNFs) and Nursing Homes (NHs), every surveyor must be equipped to determine whether providers are in compliance with CMS Conditions of Participation. Trainers and surveyors in each survey discipline (provider type) are expected to comply with the training objectives and organizational structure outlined below.

B. Broad Objective

At the completion of this program the newly employed surveyor will be able to demonstrate acquired knowledge and skills by:

- 1. Performing effectively, efficiently, and independently in areas of observation, decision making, documentation and evaluation of the performance of providers and suppliers.*
- 2. Uniformly imparting the HHS philosophy and intent of Federal regulations in face-to-face contact with providers and suppliers.*

This orientation and training program is designed to provide meaningful learning opportunities for health care professionals to gain additional technical knowledge, knowledge of Medicare/Medicaid health and safety regulations, and skills required to perform their duties more effectively. Participants study the survey and certification processes, read Federal regulations, review slides, view videos, participate in on-line training and web-based training (WBT), and practice survey skills under supervision and through the Virtual Classroom (VC).

Some new employees will be hired to function in a “certification” role. These individuals need much of the same orientation and training as field surveyors receive. Certification staffs are the persons who receive the results of surveyor reports and administratively process them to determine and document compliance with CMS certification procedures. The orientation and training requirements here apply equally to new surveyors and certification specialists in SAs and ROs.

C. Introduction

The orientation and training program is divided into 5 parts and should be customized to fit the individual strengths and weaknesses of each new surveyor. The orientation is usually completed in a 6 to 9 month period and is followed by formal completion of the CMS-provided VC or traditional-classroom trainings. Basic trainings include classroom experience for Basic Long Term Care, Basic Hospital, Basic HHA, Basic ESRD, etc.

At the conclusion of State Agency (SA) and CMS-provided Orientation and Basic training, the surveyor is presented with a certificate of program completion. Special Note: While the Basic LTC training course provides fundamentals of survey practice, it does not provide all of the information that a surveyor needs to successfully complete the Surveyor Minimum Qualification Test (SMQT). It is the combination of pre-Basic (Preceptoring, Mentoring and WBT), Basic (VC and on-site classroom), and post-Basic training and mentoring (such as specialized and tailored learning experiences) that assures that surveyors are prepared to successfully complete the SMQT and to conduct CMS-required surveys of providers seeking or maintaining participation status. Certificates of Completion for all CMS trainings are provided by the CMSO/Survey and Certification Group/Training Staff in Baltimore.

D. Program Content

Part I - General Principles

Outlines the surveyor's role and responsibilities, indoctrination to standards and the survey/certification process, confidentiality, patient rights, technique of oral communication, basic data-collecting skills, and documentation of findings.

These materials are available via the Preceptor Manual (CMS-provided and enhanced with SA-related materials), as well as by WBT, VC and other pre-Basic on-site classroom training. The Preceptor Manual was created by a national workgroup of SA and RO trainers and surveyors, and is a non-mandatory guide to trainers seeking to thoroughly prepare students for Basic trainings. While much of the content of the Preceptor Manual addresses LTC issues and survey methods, the Manual provides a useful training structure to guide all surveyors and their trainers in non-LTC survey. There are also a number of Web Based Training (WBT) tools that are available online and may be prerequisites for classroom training or post-basic training opportunities. WBT tools are provided at the CMS training website.

Part II - Survey Methods

Outlines investigative techniques and approaches to surveying standards for administration, medical direction, nursing, patient management, patient care planning, dietary service, pharmacy, medical records, restorative service, patient activities, physical therapy, occupational therapy, fire safety and disaster planning.

Other selected conditions of participation and standards for specific suppliers of service, e.g., HHA, ESRD, are outlined. *These materials are provided via WBT, VC and on-site classroom and tailored to the needs of the surveyor having completed initial chapters of the Preceptor Manual and SA-provided mentoring.*

These materials are designed to help surveyors determine compliance with provider or supplier requirements for which the surveyor is being trained. This includes following CMS written survey procedures. Emphasis should be placed on the determination of potential and actual outcomes of the care and services provided and the systems to ensure positive beneficiary outcomes. Training resources include WBT, the Preceptor Manual, and satellite broadcasts (or videos from those broadcasts). Again, training methods should be tailored to the needs of the individual surveyor.

Part III - Field Experience

Emphasizes the process of surveying and the practice application of Part I and Part II.

The surveyor participates as a supervised team member while the student surveyor assesses the certified entity's compliance with requirements. They do so by following CMS survey procedures. Training resources include the Preceptor Manual and emphasize topics such as patient rights, nursing, medical records, etc., until all areas have been covered.

Part IV - Regional Office (RO), Central Office (CO), State Agency (SA) structure

Provides an overview of the Federal-State relationship in Title XVIII and XIX programs, requirements for common Medicare/Medicaid standards and procedures, organization and role of DHHS in survey and certification programs, the role and relation of the RO to the SA, and other selected topics identified by the RO. *This information is available by WBT at the internet streaming website and may be supplemented by SA Training Coordinators.*

Part V – Basic training in the VC and traditional classroom

The objectives of classroom training include opportunities to practice skills and knowledge acquired during SA-led training, acquire new information, ask national CMS Subject Matter Experts (SMEs) questions to clarify policy and procedure, and to form and share the surveyor culture.

Recommended time spans for the 5 parts are:

Part I	2 weeks
Part II	9 weeks
Part III	3 weeks
Part IV	1 week
Part V	2 to 6 weeks

E. Administration

The orientation *and training* program is designed to be a cooperative responsibility of the SA and RO. Most of the orientation is conducted at the SA. As necessary, the surveyor may travel to the RO and make site visits to implement certain aspects of the program.

F. State Agency *and State Regional/District Office (where applicable)*

The office in which the surveyor is employed has the overall responsibility for planning, coordinating, and supervising the orientation program for each new surveyor. *In the assessment of the new surveyor's performance,* the SA should have input from the State RO when appropriate. *The responsible office (SA or State RO)* is also responsible for appointing a preceptor and/or coordinator for the orientation program. *The CMS Central Office provides content, access to WBT and the VC. CMS offers instructor training, and provides overall training-policy supervision.*

1. Preceptor

The preceptor should be a person who has successfully completed an orientation and a basic surveyor training program and has been responsible

for successfully completing a number of surveys. This person must work closely with the new surveyors to set up time-tables for completion of the orientation program, hold conferences, and *assess* each new surveyor's progress throughout the orientation period. In States that have *State ROs*, *and if* new surveyors need to receive their training out in *the State* region, each State RO or district office will need to appoint a preceptor to assure that training objectives are met.

2. The State Training Coordinator (STC) and Backup

It is mandatory that each SA identify a training coordinator and a backup person who will be available when needed for training purposes. The coordinator is the person responsible for communicating with the CMS regional training administration and for making the arrangement for the Regional Training Administrator (RTA) to meet individually or with a group of persons enrolled at any one time in the orientation training program. The SA training coordinator is also responsible for the design and expediting of training programs for surveyors who have completed the orientation program. Overall, the STC or their backup is responsible for supervision of the precepting, mentoring, training and assessment of their SA surveyors.

G. CMS Regional Office

The CMS RO and the SA *collaborate on* the orientation of the new surveyor. The RO is responsible for assisting States in developing an orientation program utilizing the *CMS* curriculum *expressed in the CMS Preceptor Manual and other CO-supplied training resources*, and in reviewing and approving plans *for SA-led instructional*, technical and field experiences, and monitoring the implementation of the program.

Each RO is required to have an RTA and backup person. The RTA has the responsibility for assuring that an effective and meaningful orientation is defined for each new surveyor. The RTA is also responsible for assuring that they and their backup, as well as STC and backup receive required CMS CO training on use of the Learning Management System (LMS) and Virtual Classroom, as well as other training-system orientation, as required by the CMS CO.

H. Training Resources

Training resources are made available by the budget process, which includes as its first step the completion of the CO Surveyor Employment and Training (SET) report. The CMS RO provides guidance to STCs for assembling SA inputs to the SET.

SAs are expected to carefully and accurately assess training needs and report those needs to the RTA. In turn, RTAs submit these needs to CO, where CO determines the placement and frequency of classroom offerings (the Training Schedule), the priority for new class design and development, and the types of technology that STCs and RTAs will need to have to be able to access WBT and other forms of distance learning.