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Sent: Thursday, March 25, 2021 11:32 AM

Subject: WHA QUALITY ALERT: Vaccination Requirements of Surveyors and Refusing Entry for Survey

Good morning,

For those of you expecting on-site surveys, CMS has sent out the following communication:

Federal and state surveyors are not required to be vaccinated and **must be permitted entry** into facilities unless they exhibit signs or symptoms of COVID-19. Surveyors should also adhere to the core principles of COVID-19 infection prevention, and adhere to any COVID-19 infection prevention requirements set by state law (refer to [QSO-20-39-NH](#)). While we recognize this is a NH specific memo, this would also apply to all providers and suppliers.

Medicare or Medicaid providers must grant access to provider records requested by surveyors, pursuant to Section 1864(a) of The Social Security Act (The Act) and Federal regulations at 42 CFR §488.10 and §488.11 to access providers and suppliers with the Requirements of Participation, Conditions of Participation, or Conditions for Coverage. Pursuant to Section 1866 of The Act and 42 CFR §489.53(a)(18), CMS may terminate the Medicare provider agreement of any provider that fails to grant immediate access to records upon a reasonable request to a state survey agency or other authorized entity for the purpose of determining, in accordance with §488.3, whether the provider or supplier meets the applicable requirements, conditions of participation, conditions for coverage, or conditions for certification.

In summary: federal and state surveyors are not required to be vaccinated and must be permitted entry to facilities unless they exhibit signs or symptoms of COVID-19. The Joint Commission is taking the same position relative to their surveyors and reviewers.

Thanks,
Nadine

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