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EDMUND G. BROWN JR.  
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**TO:** Skilled Nursing Facilities (SNFs)

**SUBJECT:** Centers for Medicare and Medicaid (CMS) Five-Star Rating Posting Requirement

This letter is being sent to offer guidance about the required posting of the overall facility rating information during the time CMS will not be posting all components of the Five-Star Rating information.

**Background**

Effective January 1, 2011, Health and Safety Code Section 1418.21 requires that a skilled nursing facility that has been certified for purposes of Medicare or Medicaid post the overall facility rating information determined by CMS in accordance with the following requirements:

1. The information shall be posted in at least the following locations in the facility:
  - (A) An area accessible and visible to members of the public.
  - (B) An area used for employee breaks.
  - (C) An area used by residents for communal functions, such as dining, resident council meetings, or activities.
2. The information shall be posted on white or light-colored paper that includes all of the following, in the following order:
  - (A) The full name of the facility, in a clear and easily readable font of at least 28 point.
  - (B) The full address of the facility in a clear and easily readable font of at least 20 point.
  - (C) The most recent overall star rating given by CMS to that facility, except that a facility shall have seven business days from the date when it receives a different rating from CMS to include the updated rating in the posting. The star rating shall be aligned in the center of the page. The star rating shall be expressed as the number that reflects the number of stars given to the facility by the CMS. The number shall be in a clear and easily readable font of at least two inches print.
  - (D) Directly below the star symbols shall be the following text in a clear and easily readable font of at least 28 point:

**"The above number is out of 5 stars."**

(E) Directly below the text described in subparagraph (D) shall be the following text in a clear and easily readable font of at least 14 point:

**"This facility is reviewed annually and has been licensed by the State of California and certified by the federal Centers for Medicare and Medicaid Services (CMS). CMS rates facilities that are certified to accept Medicare or Medicaid. CMS gave the above rating to this facility. A detailed explanation of this rating is maintained at this facility and will be made available upon request. This information can also be accessed online at the Nursing Home Compare Internet Web site at <http://www.medicare.gov/NHcompare>. Like any information, the Five-Star Quality Rating System has strengths and limits. The criteria upon which the rating is determined may not represent all of the aspects of care that may be important to you. You are encouraged to discuss the rating with facility staff. The Five-Star Quality Rating System was created to help consumers, their families, and caregivers compare nursing homes more easily and help identify areas about which you may want to ask questions. Nursing home ratings are assigned based on ratings given to health inspections, staffing, and quality measures. Some areas are assigned a greater weight than other areas. These ratings are combined to calculate the overall rating posted here."**

(F) Directly below the text described in subparagraph (E), the following text shall appear in a clear and easily readable font of at least 14 point:

**"State licensing information on skilled nursing facilities is available on the State Department of Public Health's Internet Web site at: [www.cdph.ca.gov](http://www.cdph.ca.gov), under Programs, Licensing and Certification, Health Facilities Consumer Information System."**

3. For the purposes of section (E), "a detailed explanation of this rating" shall include, but shall not be limited to, a printout of the information explaining the Five-Star Quality Rating System that is available on the CMS Nursing Home Compare Internet Web site. This information shall be maintained at the facility and shall be made available upon request.
4. The facility rating posting requirements under HSC Section 1418.21 shall be in addition to any other posting or inspection report availability requirements.

Violations of this section shall constitute a class B violation, as defined in subdivision (e) of HSC Section 1424.

#### **Problem and Interim Guidance**

The Five-Star Quality Rating System is comprised of three components that determine the Overall Facility Rating:

- Health Inspections
- Quality Measures
- Staffing

Beginning April 2011 until spring 2012, the Five-Star Quality Rating System will continue to be available for the Health Inspections and Staffing Component Ratings. However, CMS will discontinue the posting of Quality Measures on Nursing Home Compare. As a result, the Quality Measure Rating will not be available until after spring 2012. Current law requires posting the most recent overall rating given by CMS to that facility. Because the overall rating utilizes the Quality Measures rating, facilities may not receive an updated Overall Facility Rating until later in 2012.

During this period of time while the Quality Measures are discontinued, facilities should continue to post their most recent Overall Facility Rating, until a new rating becomes available.

The California Department of Public Health's failure to expressly notify facilities of legislative or regulatory requirements does not relieve facilities of their responsibility for following all laws and for being aware of all legislative changes.

If you have questions regarding this issue, please contact your local district office.

Sincerely,

**Original Signed by Cheryl Munir for Pamela Dickfoss**

Pam Dickfoss  
Acting Deputy Director

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