

## Insights

### CMS Takes Another “Shot” at COVID Vaccination Transparency in Nursing Facilities

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The Centers for Medicare and Medicaid Services (“CMS”) **announced** a new tool on the **CMS Compare** website to permit consumers to access each nursing facility’s staff and resident vaccination rates and make informed decisions when choosing a nursing facility. CMS has required certified nursing facilities to report weekly COVID-19 vaccination data since May and may utilize this data to populate the new transparency tool. As a result, the new transparency tool does not add new requirements on nursing facilities, though nursing facility staff vaccination mandates may be forthcoming under new emergency federal regulations.

While vaccination rates can currently be accessed on the **CMS COVID-19 Nursing Home Data** website, the information is isolated to COVID-19 data and not user friendly. The inclusion of the vaccination rates on the Compare website will allow consumers to view vaccination data, along with other data points, including fire safety information, penalties, staffing levels, and so on, providing a more comprehensive picture of the nursing facility.

CMS’ reporting of vaccination data on the CMS Compare website is another response by the administration to the low vaccination rates among nursing home workers. Such efforts were previously addressed with **new rules** requiring nursing facilities to educate and offer the COVID-19 vaccine to residents, clients, and staff, and report weekly COVID-19 vaccination data for residents and staff, and will soon be further addressed with a **new condition of participation requirement** to have workers fully vaccinated. The collection and presentation of large, national data sets, in a consumer-friendly format, represents an ongoing federal effort to encourage quality-based competition into the healthcare sector.

This is also a step by CMS to increase transparency of vaccination rates, as called for by the **US Senate**. For more information or questions regarding COVID-19 in nursing facilities and CMS’s response to the COVID-19 pandemic, please contact **Meghan M. Linvill McNab** or **Brandon W. Shirley**.

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