

# Putting Your Pledge Into Practice

Quality  
First

AHCA proudly announces



***"Advancing Excellence in America's Nursing Homes, builds on the success of Quality First, the Nursing Home Quality Initiative (NHQI), the 8<sup>th</sup> Scope of Work for Quality Improvement Organizations (QIOs) and the culture change movement, and will set the stage for providers to ensure their patients and residents have the highest quality long term care experience,"***

*-- Bruce Yarwood, President and CEO of AHCA/NCAL*

## **Advancing Excellence in America's Nursing Homes**

*A Campaign to Improve Quality of Life for Residents & Staff*

On September 29, 2006, an unprecedented gathering of stakeholders launched the **Advancing Excellence in America's Nursing Homes** campaign, a voluntary, 2-year effort that will help focus providers, government, professional and consumer advocates and others on quality care improvement efforts. AHCA encourages providers to participate because it moves them further toward enhancing the quality of care and life for residents, patients and staff.

AHCA anticipates that the benefit of participation will be more efficient use of scarce resources, better risk management, greater staff operational focus, increased staff retention and a

robust willingness by customers to recommend the facility to others.

The Advancing Excellence campaign will be the primary focus of Quality First and the NHQI for the next two years. The campaign will provide tangible evidence of and visibility for the quality care in the nursing home setting, and increase public trust and confidence in the long term care community.

Join the Campaign at [www.nhqualitycampaign.org](http://www.nhqualitycampaign.org)

**Providers participating in the Advancing Excellence in America's Nursing Homes campaign will commit to focus on at least three of the eight measurable goals, with at least one goal coming from each column:**

### **Clinical Goals**

1. Reducing high risk pressure ulcers;
2. Reducing the use of daily physical restraints;
3. Improving pain management for longer term nursing home residents; and
4. Improving pain management for short stay, post-acute nursing home residents.

### **Operational/Process Goals\***

5. Establishing individual targets for improving quality;
6. Assessing resident and family satisfaction with the quality of care;
7. Increasing staff retention; and
8. Improving consistent assignment of nursing home staff, so that residents regularly receive care from the same caregivers.

*Many providers are focusing efforts on similar goals as part of their ongoing quality initiatives, participating is a simple, seamless transition.*

*\* While the campaign will track these goals, the data for goals #5-8 will remain confidential unless the provider elects to publish them. Please note legal considerations as contained in this document. Technical assistance and guidance from quality experts is offered to assist facilities in reaching their targeted goals.*

*For a comprehensive description of all eight goals, please visit the Campaign's Web site at [www.nhqualitycampaign.org](http://www.nhqualitycampaign.org) and review "Goals Q & A for Providers."*

### **Local Area Networks for Excellence**

The Advancing Excellence in America's Nursing Homes campaign will have a unique component called Local Area Networks for Excellence (LANEs). LANEs will be established on a state-by-state basis in order to coordinate the campaign at the state and local level. The primary role of the LANE will be to:

- Raise awareness among stakeholders and promote enrollment by providers;
- Act as the communications axis for the campaign at the local level; and
- Coordinate technical assistance to facilities.

Each LANE will serve as the central organization to recruit members and ensure the success of the campaign for each state.

### **How do Providers Join the Campaign?**

Providers should visit the Campaign's Web site at [www.nhqualitycampaign.org](http://www.nhqualitycampaign.org) to sign up to participate in the 2-year Campaign. Nursing homes can also get information on the campaign by contacting their LANE. (*contact information can be found at the Campaign's Web site*)

### **Legal Considerations for Selecting Goal #5**

While AHCA encourages total participation by members in the Advancing Excellence in America's Nursing Homes Campaign, the Association must provide the following comments regarding selection of Goal #5 – Setting Targets for Publicly Reported Quality Measures. Please note that when participating in Goal #5, a facility may opt to **either** have their actual targets publicly reported or kept confidential. The following description concerns the involvement of a facility's Quality Assessment & Assurance Committee (QA&A). Within the context of any applicable state statutes and regulations, it is possible that publicly reporting a facility's individual targets, which are driven or monitored by the facility's QA&A committee, could jeopardize document protection under 42 U.S.C. §§ 1395i-3(b)(1)(B) and 1396r(b)(1)(B) and 42 C.F.R. § 483.75 (o)(3). AHCA's Legal Committee reviewed this issue and provides the following recommendations:

- Providers are advised to consider a potential loss of quality assurance privilege when deciding whether to select the option to publicly report the facility's clinical targets when electing Goal #5 -- setting targets using the Setting Targets Achieving Results (STAR) program. Setting targets is a Quality Assurance and Assessment committee (QA&A) activity and release of this information may increase a facility's liability risks, including without limitation, during regulatory investigations, non-regulatory investigations and civil actions.
- Providers should seriously consider what group/committee at the facility manages the information surrounding the quality campaign goals they select. Normally, the facility QA&A committee would be given this task, but since goal information will be shared with Local Area Networks of Excellence (LANEs) which will include representative(s) from survey agencies, consumers and other outside entities and agencies, facilities are cautioned about practices that provide QA&A information to these third party entities, as there are no measures or agreements in place that prevent third parties from using QA&A information once it has been disclosed to them.
- Providers need to become aware of any jurisdiction-specific laws, such as state statutes and regulations, and state and federal case law, on QA&A information to determine the impact these laws will have on a facility's decision to publicly report clinical targets and manage quality campaign goals through the facility's QA&A committee. Among possible issues to consider is whether a disclosure of some information constitutes waiver of the privilege such that all QA&A information is subject to disclosure to adverse parties.

These recommendations are not intended to be legal advice, but should be used in making informed choices about participating in the Campaign with the lowest associated risk. Facilities may wish to consult with their attorney for legal advice.



*For additional information and to join the Campaign, please visit [www.nhqualitycampaign.org](http://www.nhqualitycampaign.org), [www.ahca.org](http://www.ahca.org), contact your state's AHCA affiliated organization or your state's LANE.*

