



May 31, 2024

Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, Maryland 21244-1850

Dear Administrator Brooks-LaSure:

We are writing today regarding requirements for nursing home data reporting through the National Healthcare Safety Network (NHSN) system. Requirements were established during the COVID-19 public health emergency (PHE) to ensure access to valuable data that could help drive the COVID response. This data helped quantify the impact of COVID on nursing homes, driving decisions around distribution of supplies including personal protective equipment (PPE), COVID tests, vaccines, and therapeutics, and mitigation strategies such as masking and isolation.

As the pandemic evolved, data requirements also evolved, such as eliminating reporting of PPE supply and therapeutic usage. Mitigation strategies have not been tied to this data since the end of the PHE more than a year ago and hospitals are no longer required to report COVID-19 hospital data through NHSN. With the release of updated public health guidance in March 2024, the Centers for Disease Control & Prevention (CDC) began shifting to a more standard approach toward respiratory viruses generally. **We urge the Centers for Medicare & Medicaid Services (CMS) to align nursing home requirements.**

**COVID-19 Reporting Requirements** COVID data reporting was first implemented in 2020 as an interim final rule. Nursing homes have been required to report data on a weekly basis to the CDC through the NHSN system on the impact of COVID on nursing home residents and staff including cases, hospitalizations, and deaths. This reporting requirement has been enforced weekly at the federal level with accompanying financial penalties for noncompliance. Being an interim final rule, the requirement would have expired in May 2023, but CMS took regulatory action to extend requirements through December 31, 2024, through the Calendar Year 2022 (CY22) Home Health Prospective Payment System (PPS) rule. **We urge CMS to allow these reporting requirements to expire on December 31, 2024, without modification or further requirements for nursing home COVID data reporting through the NHSN system.**

**Resident COVID-19 Vaccination Reporting Requirements** In May 2021, an interim final rule was implemented requiring nursing homes to report resident COVID vaccination data on a weekly basis to CDC through NHSN. As an interim final rule, this requirement would have expired in May 2024; however, CMS took regulatory action through the CY22 Home Health PPS rule to make this requirement permanent. In the Fiscal Year 2024 (FY24) Skilled Nursing Facility (SNF) PPS rule, a resident COVID-19 vaccination status measure was finalized for the SNF Quality Reporting Program (QRP) that utilizes resident COVID vaccination data reported through the Minimum Data Set (MDS). Nursing homes will begin reporting this data on the MDS on October 1, 2024. **We urge CMS to take regulatory action to**

**avoid duplicative reporting of resident COVID vaccination status by terminating requirements for nursing homes to report resident COVID vaccination data through NHSN.**

***Healthcare Personnel COVID-19 Vaccination Reporting Requirements*** In May 2021, an interim final rule was implemented requiring nursing homes to report healthcare personnel COVID vaccination data on a weekly basis to CDC through NHSN. As an interim final rule, this requirement would have expired in May 2024; however, CMS took regulatory action through the CY22 Home Health PPS rule to make this requirement permanent. In the FY 22 SNF PPS rule, a healthcare personnel COVID-19 vaccination status measure was finalized for the SNF QRP that utilizes healthcare personnel COVID vaccination data reported through NHSN. In the FY 23 SNF PPS rule, a healthcare personnel flu vaccination measure was finalized for the SNF QRP that utilizes data reported once per respiratory virus season (October 1 – March 31 each year) through the NHSN system. **We urge CMS to take regulatory action to reduce healthcare personnel COVID vaccination reporting through NHSN from weekly to once annually per respiratory virus season to align with requirements for reporting healthcare personnel flu vaccination status for the SNF QRP.**

Please take prompt regulatory action to address these identified reporting concerns, returning valuable time and personnel resources to nursing homes so that they may focus on providing resident care and implementing programs and processes to prepare for and mitigate the impact of respiratory virus season. If you have any questions, please do not hesitate to contact me Jodi Eyigor ([jeyigor@leadingage.org](mailto:jeyigor@leadingage.org)).

Sincerely,



Jodi Eyigor  
Director, Nursing Home Quality & Policy

CC: Jonathan Blum, Principal Deputy Administrator  
William Harris, Senior Advisor, Office of the Administrator  
Evan Shulman, Director, Division of Nursing Homes