MEMORANDUM

DATE: October 16, 2020

TO: Centers for Medicare and Medicaid (“CMS”) Certified Skilled Nursing Facilities

FROM: Lisa Piercey, MD MBA FAAP
Commissioner

SUBJECT: CMS Testing Requirements and Data Sources

The Tennessee Division of Health Licensure and Regulation and the Tennessee Department of Health (TDH) are committed to protecting the health, safety and welfare of the public. TDH has shared guidance with long-term care facility administrators and stakeholders regarding testing and visitation policies guidance, as well as guidance from the Centers for Medicare and Medicaid Services (CMS).


Facilities should implement policies and procedures as outlined in OQS-20-38-NH when determining the frequency of their staff testing requirements. CMS allows the use of state data over CMS’s data set, as long as it is more timely and consistently used for determining the frequency of testing and is documented by the facility. In order to protect our state’s most vulnerable citizens, TDH recommends the data set found at https://www.tn.gov/health/cedep/ncov/data/clusters-in-long-term-care-facilities.html be used to determine staff testing frequency, as it has the most up to date county positivity rate, beginning October 26, 2020. These data will be updated once weekly, on Sundays, with data for the prior 7 days (Sunday through Saturday), and will be a 7-day average of the percent of SARS-CoV-2 PCR tests that are positive by county (by test report date).
As stated in CMS guidance, facilities should monitor their county positivity rate every other week and adjust the frequency of performing staff testing according to the county positivity rate. If the county positivity rate increases to a higher level of activity, the facility should begin testing staff at the higher frequency as soon as the criteria for the higher activity are met. For example, if a facility checks their positivity rate on the 1st and 3rd weeks of the month, and their county has a positivity rate in the ‘yellow’ tier on the 1st week but is in the ‘red’ tier on the 3rd week, then facilities in that county should begin testing twice weekly immediately (the 3rd week of the month). Conversely, if the county positivity rate decreases to a lower level of activity, the facility should continue testing staff at the higher frequency level until the county positivity rate has remained at the lower activity level for at least two weeks before reducing testing frequency.

If you have any questions, please contact the Office of Health Care Facilities at (615) 741-7582 or OHCF.Health@tn.gov. We appreciate your commitment to protect, promote, and improve the health and prosperity of people in Tennessee.