

Independent Informal Dispute Resolution (IIDR) Process

On December 2, 2011 CMS published Survey and Certification Memo 12-08-NH with the Federal requirements for the Independent Informal Dispute Resolution (IIDR) process for nursing homes. The S&C and interim advance guidance for IIDR may be found at:

http://www.cms.gov/Surveycertificationgeninfo/downloads/SCLetter12_02.pdf

The Division of Health Care, Office of Inspector General (OIG) developed a process to ensure requests for IIDR are processed efficiently and timely.

The following is a time line for compliance with completion of the IIDR process.

1. CMS must offer facilities an opportunity for IIDR within 30 days of the notice sent by CMS Regional Office to the facility regarding imposition of a Civil Money Penalty (CMP).
2. If the facility requests IIDR, the request must be submitted in writing to the OIG IIDR Coordinator within 10 days of receipt of the notification from the CMS Regional Office. The facility's request must be accompanied by two copies of the case materials, and the name and contact information of the involved resident(s)/resident representative(s).
3. Within 5 calendar days of receipt of a written request for IIDR, the IIDR Coordinator will provide notification via certified mail to the involved resident(s)/resident representative(s), and e-mail the State Long Term Care Ombudsman of the opportunity to submit written comments. The CMS Regional Office will be notified via e-mail of the facility's request for IIDR.
4. Any comments from the resident(s)/resident representative(s) or the State Long Term Care Ombudsman must be submitted in writing to the OIG within 5 days from the date of the OIG's notification.
5. The OIG will send by certified mail the facility's case materials and any comments received by the resident(s)/resident representative(s) and the State Long Term Care Ombudsman to the IIDR contract agency no later than 5 days from the receipt of the comments.
6. The IIDR contract agency will return the IIDR written report and the case materials, including any comments by the resident(s)/resident representative(s) and/or State Long Term Care Ombudsman to the OIG no later than 20 calendar days from the receipt of the facility's request for an IIDR.
7. If the OIG disagrees with the contract agency's decision, the OIG will send all documents via certified mail to the CMS Regional office within 3 calendar days of receipt of the documents from the IIDR contract agency. CMS will advise the OIG of the outcome and final notice will be sent to

the facility via U.S. Mail no later than the 60th calendar day from the date of the facility's request for an IIDR.

8. If the OIG agrees with the contract agency's decision, the OIG will send a letter, with the outcome, to the facility, resident(s)/resident representative(s) and the State Long Term Care Ombudsman. These results will be sent no later than the 60th calendar days from receipt of the request by the facility for IIDR.
9. Kentucky's IIDR Coordinator is Nancy Spiller, RN/NCI. You may contact her at NancyL.Spiller@ky.gov or 275 E Main Street 5-EA, Frankfort, KY. 40621, Phone 502-564-7963 Ext. 3301 or Fax at 502-564-6546 with any questions you may have.