

HHS-OIG Launches Review of Nursing Home PRF Spending and Infection Control Practices

Insights

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Nursing facilities across the country are receiving requests from the U.S. Department of Health and Human Services, Office of Inspector General (OIG), concerning a review of Provider Relief Fund (PRF) spending and infection control practices. The OIG is specifically requesting interviews with facility leadership (e.g., officers and administrators), facility personnel (e.g., infection preventionists), and resident or family council representatives. The OIG also makes broad requests for “any evidence you have for how you used the PRF funds.” Some of the interviews may have already occurred, while others will be scheduled through the summer of 2022.

The OIG’s inquiries likely relate to its November 21, 2021 announcement, which indicated the Pandemic Response Accountability Committee would organize six case studies to analyze “COVID-19 Pandemic Relief Funding and Its Effects on Nursing Homes.” According to the OIG, the goal of these case studies is to analyze the use and effectiveness of PRF funding in improving infection control outcomes in nursing facilities. The OIG will also use the case studies to evaluate the Health Resources and Services Administration’s oversight and efforts to enforce PRF terms, conditions, and reporting requirements. The final results of these studies are expected to be issued in 2023. The OIG’s November 21, 2021 announcement can be found [here](#).

The OIG’s latest review is one of *many* layers of overlapping federal and state administrative oversight of infection control practices and PRF spending at nursing facilities. While nursing facilities are already obligated to report on the use of PRF funds, COVID-19 outbreaks, and infection control practices, facilities should not assume the various agencies are collaborating to avoid duplicative requests for information. Facilities should also not assume those deployed to conduct the interviews and review the information gathered will have material experience in nursing home operations or finance. Moreover, anecdotal evidence suggests the OIG may be specifically targeting nursing facilities that experienced an infection control outbreak during the pandemic. Facilities must be mindful of efforts to draw undue correlations between infection control practices, the use of PRF funds, and COVID-19 outbreaks. Providers should consider consulting with counsel and/or financial advisors in an effort to ensure the review process is fair and that accurate information is provided.

For further information, please contact [Stan Stock](#) in San Diego, [Mark Reagan](#) in San Francisco, or any other member of our Hooper, Lundy, and Bookman team.

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