STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Home and Community Living Administration
Residential Care Services • P.O. Box 45600 • Olympia, Washington 98504

09/03/2026

HCLA: NH 2026-036
Rescinding QSO-24-21-NH & QSO-21-02 NH Refer to QSSAM 26-04-NH Protecting the Voting Rights and Autonomy of Vulnerable Residents in Long-Term Care Facilities

Dear Administrator:

This letter is to inform you that the Centers for Medicare and Medicaid Services (CMS) have rescinded QSO-24-21-NH issued September 26, 2024, and QSO-21-02-NH issued October 5, 2020. **Providers are now referred to QSSAM 26-04-NH, published July 20, 2026**.

This quality and safety special alert does not create new regulatory requirements and does not update the State Operations Manual. It reinforces existing obligations and is intended to remind facilities and their staff that while they are supporting residents' rights to vote they cannot engage in inappropriate coercion or other violations of residents' rights.

In recent years CMS has become aware of instances of alleged election fraud by facility staff in Texas and Wisconsin.

CMS clarifies the following resident rights:

- §483.10(b) Exercise of Rights: The resident has the right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States.

- §483.10(b)(1) The facility must ensure that the resident can exercise his or her rights without interference, coercion, discrimination, or reprisal from the facility.

- §483.10(b)(2) The resident has the right to be free of interference, coercion, discrimination, and reprisal from the facility in exercising his or her rights and to be supported by the facility in the exercise of his or her rights as required under this subpart.

Facilities are reminded to not engage in any activity that violates federal and state voting laws including registering residents as voters without consent or completing a mail-in ballot on a resident's behalf without their authorization. Facilities are also expected to notify the resident's authorized representative when a change occurs in the resident's legal or civil rights related to voting.

Residents requiring assistance to vote should have the option of receiving assistance from the person of their choosing and offered the option of receiving assistance from their authorized representative.

Residents can file a complaint with the Residential Care Services. Allegations of voter coercion or intimidation can be referred to the Department of Justice 800-253-3931, emailing voting.section@usdoj.gov or by submitting an online form.

Thank you for your continued commitment to client health and safety. If you have any questions, please contact name, title and email address.

Sincerely,

Miriam Mina, Interim Director
Residential Care Services

DSHS: Partnering with People

References:
QSSAM 26-04-NH
WAC 388-97-0180
Appendix PP of the State Operations Manual
42 CFR §483.10