



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

April 28, 2023

AL TSA: NH #2023-019
NEW FINGERPRINT BACKGROUND CHECK REQUIREMENT FOR
NURSING HOME CHANGES OF OWNERSHIP

Dear Nursing Facility/Home Administrator:

The Centers for Medicare and Medicaid Services (CMS) monitors and oversees changes of ownership (CHOW) of various providers including skilled nursing facilities (SNFs). Part of this process is based on risk categories (limited, moderate, or high-risk) under [Title 42 CFR §424.518, Screening levels for Medicare providers and suppliers](#).

On November 23, 2022, CMS adopted “CY 2023 PFS Final Rule” that changed the risk categories for SNFs to “high risk” when they initiate enrollment actions including CHOWs. This allows CMS to continue to monitor and aid in preventing abuse through use of criminal background checks. These changes became effective January 1, 2023.

Specifically, when a SNF initially enrolls in a CHOW, everyone who has 5% or more direct or indirect ownership interest in the SNF must submit fingerprints for a criminal background check within 30 days of a contractor request. Fingerprint-based background checks will also be required when an enrolled SNF reports a CHOW with a new 5% or more direct or indirect ownership interest.

If a provider is required to complete a criminal background check, they will receive a letter from the Medicare Administrative Contractor (MAC) with instructions. This process will likely slow initial enrollment applications and CHOWs when affected providers are forming a new entity or undergoing a CHOW transaction. For process details, see the links below:

- [CMS Fingerprinting Instruction Website](#)
- [CMS Fingerprint Collection and Submission Process](#)
- [Medicare Enrollment for Providers & Suppliers](#)

Thank you for your continued commitment to resident health and safety. If you have any questions, please contact Molly McClintock, Nursing Home Policy Program Manager, at (360) 742-6966 or molly.mcclintock@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services

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