

Extra News Online

Attorneys General Seek Halt To Five Star

Flawed Methodology, Misleading Comparisons Cited

Attorneys general (AGs) from 31 states recently called on the Centers for Medicare & Medicaid Services (CMS) to suspend the Five Star Quality Rating System for nursing facilities until it can be revamped using a more appropriate method for evaluating providers.

In a letter to Health and Human Services Secretary Kathleen Sebelius, the AGs said, “In the best interest of consumers as well as providers, we believe it is imperative that the current Five Star System be suspended temporarily and revised using a more appropriate criterion-referenced evaluation methodology.”

The letter further explained that the current Five Star methodology creates comparisons of nursing facility performance that “can be misleading and create significant confusion for

consumers.”

The letter was lauded by nursing facility advocates, including the American Health Care Association (AHCA) President and Chief Executive Officer Bruce Yarwood, who thanked the state AGs who signed on for their dedication to providing consumers “an accurate representation of the care our profession provides every day for millions of frail, elderly, and disabled individuals.”

AHCA has strenuously protested the Five Star methodology as flawed and the information provided to consumers as incomplete and misleading. In an issue brief responding to the Five Star launch, AHCA called on CMS to pull the rating system from its public Web site, “convene stakeholder groups to develop a more useful rating system, pilot-test the new system, and evaluate its usefulness to consumers.”

On Capitol Hill, a federal probe of the rating system has been requested by Rep. Henry Waxman (D-Calif.), chairman of the House Energy and Commerce Committee, and Rep. Bart Stupak (D-Mich.), chairman of the Subcommittee on Oversight and Investigations. In a letter to Gene Dodar, acting comptroller general of the Government Accountability Office, the lawmakers asked the agency to conduct a “comprehensive evaluation” of the rating system, specifically: the process used to develop Five Star; the use of a “composite rating;” the use of “weights” in the ratings; and the integration of Five Star into the Nursing Home Compare Web site and other information that should be publicly available, such as consumer satisfaction.

— Lynn Wagner