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April 27, 2009

Ms. Peggye Wilkerson, Deputy Director  
Division of Continuing Care Providers  
Centers for Medicare and Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 22144-1850

VIA ELECTRONIC MAIL

Dear Ms. Wilkerson:

Thank you for providing the American Health Care Association (AHCA) with the opportunity to comment on the draft Survey and Certification (S&C) letter for ICFs/MR, "Clarification of Interpretative Guidance for 42 CFR 483.420(d)(2)." AHCA is a federation of state associations representing nearly 11,000 non-profit and proprietary long term care providers, including ICFs/MR and group homes for individuals with developmental disabilities. On behalf of these providers, we appreciate CMS' clarification of what constitutes "injuries of unknown source" and the appropriate responses to these occurrences.

AHCA is in agreement with this letter and we have no revision suggestions. Our positive comments include:

- The clarification of what constitutes "injuries of unknown source" appears reasonable as it acknowledges that some injuries are explainable.
- We appreciate the recognition that ICF/MR residents "experience normal day-to-day bumps and minor abrasions as they go about their lives" and that reporting and investigating these minor occurrences is not necessary. We do agree that recording these occurrences is appropriate.
- Clarifying that "immediately" means as "soon as possible, but not to exceed 24 hours" also appears reasonable and would promote prompt attention to the issue.

AHCA appreciates the opportunity to comment on this ICF/MR S&C letter. We encourage CMS to contact us at any time for additional information.

Thank you,



Bruce Yarwood, President & CEO

Cc: Van Moore