

# **SKILLED NURSING FACILITY ACCOUNTABILITY SANCTIONS PROGRAM**

Frequently Asked Questions (FAQs) – updated as of 03/2025

## **1. What is the Skilled Nursing Facility Accountability Sanctions Program (SNF ASP)?**

[Welfare & Institutions Code \(W&I Code\) Section 14126.026](#) authorizes DHCS to assess sanctions on Skilled Nursing Facilities (SNFs) that fail to meet or exceed the minimum performance benchmarks of one or more of the quality measures developed by DHCS.

## **2. Which skilled nursing facilities are subject to SNF ASP?**

Pursuant to [Welfare & Institutions Code Section 14126.026](#), “skilled nursing facility” has the same meaning as set forth in [subdivision \(c\) of Section 1250 of the Health and Safety Code](#), excluding a nursing facility that is a distinct part of a facility that is licensed as a general acute care hospital as described in [subdivision \(a\) of Section 1250 of the Health and Safety Code](#).

## **3. When does SNF ASP go into effect?**

Measurement Year 2024 (MY24), which runs from January 1, 2024, to December 31, 2024, will be the first year that SNF ASP imposes monetary sanctions on SNFs that fail to meet or exceed the minimum performance benchmarks for DHCS-selected quality measures. For MY24, SNF ASP Sanction Notices are anticipated to be issued to SNFs in the last quarter of 2025.

## **4. How were measures chosen for SNF ASP?**

For MY24 and MY25, DHCS selected measures from the Minimum Data Set 3.0 (MDS 3.0), which is a powerful tool for implementing standardized assessment and facilitating care management in nursing homes. More information on MDS can be found at the [Centers for Medicare & Medicaid Services' \(CMS\) website](#).

## **5. Which quality measures will SNFs be held accountable for in SNF ASP?**

SNF ASP Policy Letters list all measures that SNFs will be held accountable for in a given measurement year. All published policy letters can be found on the [ASP website](#).

## **6. How are benchmarks and minimum performance levels developed for SNF ASP?**

For MY24, facility performance on clinical measures will be measured against CMS Care Compare national benchmarks based on calendar year 2022 (January 1, 2022, to December 31, 2022) performance data due to data availability. Facility performance on the equity measure will be measured by percentage of MDS Racial and Ethnic Data Completeness. For MY25, facility performance on clinical measures will be measured against CMS Care Compare national benchmarks in calendar year 2023 (January 1, 2023, to December 31, 2023) performance data.

For more details on benchmark rates and minimum performance levels, please refer to the policy letters on the [ASP website](#).

## **7. How will SNF ASP sanctions be assessed?**

For each measure a SNF fails to meet in a single rating period, DHCS may assess a sanction of up to \$5 for each Medi-Cal bed day within the rating period up to a maximum of \$150,000, per measure, in a single rating period. Accordingly, if there are three measures for a given measurement year, then the maximum aggregated sanction amount assessed to a SNF would be up to \$450,000. For additional details on sanction amount calculation methodology, please refer to the [SNF ASP Methodology](#) published on the [ASP website](#).

## **8. Are there processes for sanction waivers or appeals?**

Pursuant to [W&I Code Sections 14126.026\(f\)](#), DHCS may elect to waive all or a portion of the sanction assessed under this section if a facility petitions for a waiver and the department determines, in its sole discretion, that the petitioning facility meets two criteria specified under that section. Pursuant to W&I Code section 14126.026(h), if a SNF disputes any sanction assessed by DHCS, the facility shall submit a request for appeal to the department in accordance with W&I Code section 14126.026(h) and DHCS guidance. DHCS will issue further guidance regarding appeals and waivers prior to any assessment of SNF ASP sanctions.

## **9. How have stakeholders been engaged in the development of SNF ASP? How will stakeholders be engaged in 2025?**

DHCS has been hosting virtual stakeholder webinars to discuss SNF ASP, the Workforce and Quality Incentive Program (WQIP), and the Workforce Standards Program (WSP), all of which are part of Nursing Facility Financing Reform (AB186). These public webinars have been providing opportunities for stakeholder input. Further, DHCS has been actively engaging with stakeholder groups for additional input.

In 2025, DHCS will continue to engage with stakeholders for ongoing input on SNF ASP. Upcoming webinar information can be found on the [Nursing Facility Financing Reform \(AB](#)

[186\) website](#). Stakeholders are also encouraged to subscribe to the [AB 186 Email distribution list](#), which was created to provide updates on all three AB 186 programs, including SNF ASP.

## **10. Who do I contact for further questions regarding SNF ASP?**

For further information, feedback, or questions regarding SNF ASP, please email [SNFASP@dhcs.ca.gov](mailto:SNFASP@dhcs.ca.gov).