May 25, 2015

Q: When a long term care provider requests an Independent Informal Dispute Resolution (IIDR) review, is the report from the independent reviewer available to the LTC provider?

A: There is no federal Centers for Medicare and Medicaid Services (CMS) discussion or requirement in the CMS guidelines regarding release of the independent reviewer report. Therefore, the Illinois Department of Public Health, Office of Health Care Regulation has taken the position that they are not to release the full report, just the decision. Since the IIDR is a federal CMS process, IDPH is saying that they will not release the full report unless CMS directs them to. The full report may be FOIA-able, but the LTC provider would need to do this as a federal FOIA request rather than an IDPH FOIA request.