Q: *This question was forwarded to CMS for clarification*: Can we please get some clarification on the deduction for meal times in the Payroll Based Journal (PBJ)? Even if the staff person does not take a lunch break during a 8 hour shift, the minimum ½ hour deduction still must be taken, correct? If a person works a 12 hour shift, does the minimum lunch break time then move to ¾ hour? Double shift = 2 hours? Can we also ask why a facility must include a 30 minute break in an 8 hour shift if the staff doesn’t take the break and works the straight 8 hours?

A: *CMS stated*: For PBJ, a 30 minute meal break must be deducted for each 8 hour shift worked. If it is a 12 hour shift, only 30 minutes needs to be deducted. If it is 16 hour shift, two 30 minute breaks must be deducted. In order to ensure national consistency in reporting, we (CMS) have instituted this policy. While the staff may not take a meal break, there are certainly times during the day that they are taking some kind of break and we are not requiring facilities to deduct smaller breaks taken during the employee’s shift.