



Protecting Vulnerable Voters' Toolkit

Federal CMS Requirements to Protect Voting Rights of Residents in Care Facilities, Facility Responsibilities, & Tools for Implementing CMS Requirements

Federal Framework | Facility Implementation | Volunteer Field Guidance Tools for Volunteers

Based on CMS Quality & Safety Special Alert Memo QSSAM-26-04-NH — July 20, 2026

Purpose

This toolkit centers the federal CMS resident-rights framework that applies to Medicare- and Medicaid-certified nursing facilities. It helps EIN state coalitions communicate the July 2026 CMS clarification, help facilities strengthen internal compliance, and train volunteers to support lawful implementation through professional outreach, objective documentation, and appropriate referral.

The Central Message

Facilities that participate in Medicare and Medicaid must comply with federal Conditions of Participation and resident-rights requirements. CMS QSSAM-26-04-NH reinforces that residents retain the right to vote and the equal right to decline participation—and that facility staff may not interfere with, coerce, improperly influence, or take unauthorized voting action on behalf of a resident.



How to Use This Toolkit

This is one coordinated EIN resource with two parts:

- **Part I — Federal CMS Framework & Facility Implementation** is for state coalition leaders, facility administrators, compliance personnel, Activities and Social Services personnel, and designated facility voting coordinators.
- **Part II — Coalition Volunteer Toolkit** is for trained State Coalition volunteers who deliver approved materials, conduct professional outreach, document objective concerns, and refer matters through approved channels.

The appendices contain print-ready and state-customizable tools and templates. They are designed to be distributed separately as needed after the state coalition completes the customization process.

Important Legal Scope

Federal authority comes first

The federal CMS resident-rights framework is the foundation of this toolkit. Medicare- and Medicaid-certified nursing facilities and skilled nursing facilities are subject to federal participation requirements, including **42 C.F.R. § 483.10, Resident Rights**. CMS issued QSSAM-26-04-NH to reinforce how these federal resident-rights protections apply to voting and resident autonomy.

CMS states that the memo does not create a new regulation or update the State Operations Manual; it reinforces existing federal obligations. That does not make the guidance optional. A certified facility must comply with the underlying federal resident-rights requirements that CMS administers and State Survey Agencies enforce.

State law supplies election mechanics

State election law remains important, but it does not displace the federal CMS baseline. State law supplies the operational mechanics that must be completed before a facility or volunteer acts: who may assist a voter, who may witness or handle a ballot, how mail-ballot requests work, special-voting procedures, election deadlines, and related questions.

Federal-First Organizing Principle

Federal resident-rights requirements establish what certified facilities must protect.

State election law identifies the lawful procedure for carrying out those protections.

Volunteer boundary

Coalition volunteers are not election officials, facility staff, surveyors, attorneys, or law-enforcement officers. They do not determine individual voting eligibility or capacity, handle voting materials, conduct independent investigations, or pressure any person regarding voting.



Resident-centered principle

A resident retains the right to vote and the equal right to decline participation. A diagnosis, disability, facility placement, cognitive condition, guardianship arrangement, or authorized-representative relationship does not give a facility or volunteer authority to substitute another person's political choice for the resident's choice.

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Part I — Federal CMS Framework & Facility Implementation

1. Federal Context: Why CMS Is Involved

CMS oversees compliance with the federal participation requirements applicable to Medicare- and Medicaid-certified nursing facilities. Federal funding and certification carry federal compliance responsibilities. A facility cannot treat voting-related resident rights as a discretionary activity separate from its federal duties of resident care, dignity, self-determination, and freedom from coercion.

Resident rights extend beyond clinical treatment. They include the ability to exercise rights as a citizen, free from facility interference, coercion, discrimination, or reprisal. In the voting context, this means a facility must protect the resident's autonomy while ensuring that facility staff do not take unauthorized action or substitute their own preferences for those of the resident.

On July 20, 2026, CMS issued **QSSAM-26-04-NH, "Protecting the Voting Rights and Autonomy of Vulnerable Residents in Long-Term Care (LTC) Facilities."** CMS rescinded QSO-21-02-NH (2020) and QSO-24-21-NH (2024) and clarified that certified facilities must preserve voting rights without coercion, improper influence, or actions that violate federal or state voting law.



The federal compliance chain

Federal authority	Facility responsibility	Resident protection
CMS administers Medicare and Medicaid participation requirements.	Certified facilities must comply with federal resident-rights rules.	Residents retain autonomy, dignity, and freedom from coercion.
42 C.F.R. § 483.10 establishes resident rights.	Facilities must support rights and avoid interference, coercion, discrimination, and reprisal.	The resident may vote or decline without staff pressure or unauthorized action.
CMS QSSAM-26-04-NH reinforces existing requirements in the voting context.	Facilities must translate the federal baseline into staff training, written procedures, referral paths, and documentation.	Voting-related assistance and materials are addressed through lawful, resident-centered procedures.
State Survey Agencies conduct federal survey work under CMS arrangements.	Facilities must maintain compliance and respond through established grievance and complaint processes.	Residents and representatives have defined routes to raise federal resident-rights concerns.

Why This Matters

The new CMS clarification gives facilities, State Survey Agencies, families, election authorities, and coalitions a common federal standard: protect resident choice, prevent coercion and unauthorized action, and use a reliable process rather than informal staff improvisation.

2. What CMS Clarified in QSSAM-26-04-NH

CMS states that QSSAM-26-04-NH reinforces existing obligations; it does not create new regulatory requirements or update the State Operations Manual. The memo nevertheless provides specific voting-context guidance for facilities and State Survey Agencies.

Federal resident-rights Basics

Under **42 C.F.R. § 483.10(b)**, a resident has the right to exercise rights as a resident of the facility and as a citizen or resident of the United States. Under **§ 483.10(b)(1)** and **§ 483.10(b)(2)**, the facility must ensure that residents can exercise those rights without interference, coercion, discrimination, or reprisal and must support residents in exercising rights.



CMS clarification and facility action

CMS clarification	What a federally certified facility must operationalize
Residents retain constitutional and statutory rights, including the right to vote and the right to decline participation in elections.	Staff must not presume participation, discourage participation, or substitute staff preferences for resident choice.
Federal regulations prohibit facility interference, coercion, or improper influence in the exercise of resident rights.	The facility must train staff on neutrality, privacy, referral, and escalation boundaries.
Facilities may not engage in activity that violates federal or state voting law. CMS identifies registering a resident without knowledge or consent and completing a mail-in ballot without authorization as examples.	The facility must establish a written protocol before staff coordinate registration, voting assistance, ballot applications, or ballot-related activity.
CMS expects facilities to notify a resident's authorized representative when a change occurs in the resident's legal or civil rights related to voting.	The facility must have a documented, compliance-reviewed process to identify and address voting-related actions that may require notice.
Residents who require assistance should have the option of help from a person of their choosing and should be offered the option of assistance from their authorized representative.	The facility must protect resident choice while applying the controlling procedure governing permitted assistance.
CMS encourages coordination with state election officials to use bipartisan election workers where state law authorizes that option.	The facility should know how to contact the relevant election authority about lawful special-voting, supervised-voting, or bipartisan-assistance options.

Key Compliance Message

A facility may not use convenience, staffing limits, internal custom, a resident's disability, or another person's political preference as a reason to bypass the resident's federal rights.

3. Federal Requirements and State Procedures

This toolkit deliberately gives federal authority priority. State procedures are not an alternative source of authority for federally certified facilities; they are the practical election-law rules that must be followed while the facility meets its federal duties.

Federal CMS requirement or protection	State procedure the facility must identify before acting
Support the resident's right to vote and equal right to decline.	Registration options, election calendar, absentee/mail process, and special-voting access.
Prevent interference, coercion, discrimination, reprisal, improper influence, and unauthorized action.	Permitted and prohibited voter assistants; restrictions applicable to employees, volunteers, candidates, or agents.
Do not register a resident without knowledge and consent.	Registration forms, signature requirements, deadline, and authorized assistance process.
Do not complete a mail-in ballot without authorization.	Ballot-assistance, witnessing, possession, collection, transportation, and return requirements.
Address authorized-representative notification under CMS guidance.	State rules concerning guardianship, powers of attorney, and authorized representatives, where relevant.
Coordinate with election authorities where appropriate.	Special voting deputies, mobile polling, supervised voting, bipartisan teams, and facility-request procedures.

State Procedure Insert Required

A facility must not improvise the state-law mechanics of assistance or ballot handling. Complete the state customization worksheet and consult the appropriate election authority or counsel before distributing facility-facing instructions.

4. Facility Compliance and Implementation Plan

Federal compliance must reach the point where a resident interacts with a facility employee, family member, authorized representative, election worker, or other helper. The facility should identify accountable owners for each function.

Core facility functions

Function	Accountable facility role	Federal compliance objective
Policy and accountability	Administrator and compliance leadership	Written process, named voting coordinator, backup contact, training plan, and documented review.
Resident communication	Activities, Social Services, or designated coordinator	Residents know how to seek lawful voting information or assistance and may decline without pressure.
Direct-care referral	Nursing leadership, nurses, CNAs, and direct-care staff	Staff recognize boundaries, avoid unauthorized action, and promptly refer requests.
Material handling	Reception, mailroom, administrator designee, and authorized personnel	Voting materials are protected, private, and handled only under approved procedures.
Outside access and coordination	Administrator or designated coordinator	Election workers, visitors, and outside helpers are managed consistently with resident rights, privacy, and lawful process.
Documentation and escalation	Administrator, compliance lead, and grievance designee	Objective records, privacy protection, internal reporting, and appropriate external referral.

Required facility practices

- Designate a primary and backup voting coordinator.
- Establish a written referral process for resident voting questions.
- Train staff by role; do not rely on informal custom or a poster alone.
- Establish an approved process for voting-related material handling.
- Maintain current authorized-representative contact information and a process for CMS notification questions.
- Know the facility grievance process and relevant external complaint channels.



- Coordinate with election officials on legally available assistance options.
- Document policy distribution, training, material concerns, and corrective follow-up.

5. Facility Voting Process

This model process is designed to help a facility translate federal CMS requirements into a reliable operational pathway. It is not a substitute for the facility's completed state-procedure insert.

Step 1 — Receive the resident's request or election material

A resident expresses interest in voting, asks for information or help, or receives election-related material. Staff must listen respectfully, avoid assumptions, protect privacy, and use the designated facility pathway.

Step 2 — Refer promptly

Staff should route the request to the designated voting coordinator. Direct-care staff should never be expected to decide complex assistance, eligibility, or ballot-handling questions in real time.

Step 3 — Protect resident choice

The resident's own preference governs within the applicable legal process. Staff must not pressure a resident to vote, decline, support a candidate, or accept assistance from a particular person.

Step 4 — Use the approved assistance process

The coordinator applies the facility procedure and completed state-procedure insert. If assistance is needed, the facility protects the resident's ability to choose a lawful helper and offers the authorized-representative option consistent with CMS guidance.

Step 5 — Handle voting materials only through authorized procedures

Registration forms, ballot applications, ballots, envelopes, witnessing, possession, collection, transportation, and return must be handled only through the procedure permitted by applicable law. No staff member or volunteer should improvise.

Step 6 — Authorized-representative notification Requirements

The facility uses its documented, compliance-reviewed process to evaluate whether a voting-related action involves a change in the resident's legal or civil rights related to voting that requires notification under CMS guidance.

Step 7 — Document and escalate concerns

Document objective facts needed for compliance and follow-up, while protecting resident privacy. Use the grievance process and appropriate official referral channels when warranted. Do not turn a concern into a confrontation, interrogation, or unsupported accusation.



6. Facility Compliance Checklist

Federal CMS readiness

We reviewed CMS QSSAM-26-04-NH and 42 C.F.R. § 483.10.
We designated a primary voting coordinator and backup.
We established a written resident-request and staff-referral process.
We trained staff on resident autonomy, neutrality, privacy, and prohibited actions.
We established an approved process for voting-related materials and outside assistance.
We established a documented process for authorized-representative notification
We established a grievance process and external referral contacts.
We retained training and implementation records.

State-procedure readiness

We completed the state election-procedure insert.
We confirmed who may lawfully assist, witness, possess, collect, transport, or return voting materials.
We identified local election-authority contacts and any special-voting or bipartisan-assistance option.
We confirmed relevant registration, ballot, and election deadlines.

When a resident asks for help

Respect the resident's decision to participate or decline.
Refer through the designated facility process.
Protect privacy and do not influence political choices.
Use only approved assistance and material-handling procedures.
Review authorized-representative notification questions through the compliance process.

When a concern arises

Record date, time, location, persons present, and objective observations.
Protect resident dignity and privacy.
Use the grievance or reporting process.
Refer credible matters to the appropriate official channel.
Do not investigate or accuse based only on suspicion or a numerical pattern.

Part II — Coalition Volunteer Guidelines

7. Volunteer Mission and Boundaries

Volunteer mission

Your state coalition volunteers help ensure that the federal CMS clarification reaches facilities and that facilities have access to reliable compliance materials and appropriate official contacts. Volunteers may provide approved information, encourage process readiness, document objective concerns, and refer matters through your state coalitions established channels.

Volunteers should and must not

Volunteers should	Volunteers must not
Use EIN-approved materials that begin with the federal CMS framework.	Tell a resident how to vote or pressure a resident to vote or decline.
Ask to speak with the facility administrator or designated voting coordinator.	Decide that a resident lacks capacity or voting eligibility.
Offer to connect facility leadership with the State Survey Agency or appropriate election authority.	Register, assist, witness, collect, possess, transport, return, or mark voting materials unless expressly authorized and assigned to that role.
Ask neutral questions about written processes, staff training, and designated contacts.	Request resident-specific voting records, diagnoses, guardianship records, ballots, or political information.
Record objective facts, dates, names, and facility responses.	Question residents about ballot choices, political preference, or cognitive condition.
Refer credible concerns through state leaders and appropriate official channels.	Make criminal accusations, conduct independent investigations, or publicly accuse a facility based only on suspicion.

Volunteer Operating Standard

Educate → Observe → Record objective facts → Refer through state leaders → Use the appropriate official channel

A red flag is a reason to ask a neutral process question or make a careful referral. It is not proof of fraud, coercion, ineligibility, or wrongdoing.

8. Volunteer Facility-Contact Protocol

Before contact

- Review the EIN-approved packet, CMS summary, and state-procedure insert.
- Know the coalition's internal escalation contact.
- Know the State Survey Agency, Long-Term Care Ombudsman, and election-authority contacts included in the state packet.
- Bring only approved materials.
- Plan to discuss facility process and federal CMS responsibilities—not resident-specific facts.

During contact

- Identify yourself and your coalition accurately.
- Ask to speak with the administrator or designated voting coordinator.
- Provide the packet and explain that it summarizes the federal CMS resident-rights framework and identifies state procedure the facility must confirm.
- Ask neutral questions about designated contacts, written referral process, staff guidance, agency contacts, and authorized-representative notification process.
- Do not ask for resident names, ballot information, voter files, medical information, or political preferences.

After contact

- Complete the volunteer contact log promptly.
- Record materials provided, names/titles of recipients, questions raised, and requested follow-up.
- Refer substantial process concerns through the facility, state and coalition chain of command.
- Preserve privacy and do not post resident-specific material online.

9. Documentation of Concerns and Referrals

Document facts, not assumptions

- Date, time, facility location, and your name.
- Names/titles of people present, if known.
- What you personally saw, heard, or were told; separate observations from conclusions.
- The process or material involved without copying unnecessary private information.
- Who was notified, what response was received, and any reference number.

Referral guide

Level	Example	Volunteer action
Routine request	Facility seeks a CMS memo, compliance checklist, or election-authority contact.	Provide approved information or refer to the coalition lead.
Compliance process gap	No designated contact; staff appear unaware of CMS guidance; no written referral process; unclear material-handling pathway.	Document facts, provide the checklist, and alert the coalition lead for professional follow-up.
Potential resident-rights concern	Credible report or direct observation of apparent coercion, a resident being blocked from a lawful process, unauthorized ballot-related action, or destroyed/altered materials.	Document objective facts. Do not confront the resident or alleged actor. Refer through state coalition and the appropriate official channel.

Referral matrix

Concern	Primary official channel
Federal facility resident-rights or CMS-compliance issue	Facility grievance process and/or State Survey Agency.
Resident advocacy or care-quality concern	Long-Term Care Ombudsman and/or applicable state agency.
Election procedure or special-voting question	State or local election authority.
Credible allegation of coercion, intimidation, or criminal conduct	Appropriate law-enforcement authority; the U.S. Department of Justice Civil Rights Division may be an additional complaint channel for voting-rights concerns within its jurisdiction.

Do Not Investigate

Volunteers document and refer. Formal fact-finding belongs to the facility, State Survey Agency, Ombudsman, election authority, or law-enforcement entity with jurisdiction.

10. State Customization and Deployment

State customization is necessary to identify the election procedures that sit beneath the federal CMS foundation. It does not alter or reduce federal resident-rights duties.

Required state-procedure insert

- Identify state voter-assistance rules and prohibited assistant categories.
- Identify registration, mail-ballot request, witnessing, possession, collection, transportation, and return rules.
- Identify special-voting deputies, supervised voting, mobile polling, bipartisan teams, or other LTC procedures.
- Identify state rules concerning guardianship, powers of attorney, and authorized representatives, where relevant.
- Identify State Survey Agency, Ombudsman, state election authority, and local election-authority contacts.
- Identify key election deadlines and facility request procedures.
- Obtain review by qualified state election-law and facility-compliance counsel.

Deployment sequence

1. Finalize the federal CMS core and complete the state-procedure insert.
2. Prepare facility, agency, family, and volunteer appendices with state contacts.
3. Provide the facility packet to administrators and offer official-contact connections.
4. Train coalition volunteers on federal messaging, boundaries, documentation, and referral.
5. Conduct professional follow-up focused on facility readiness and resident-rights compliance.
6. Refer material concerns through approved channels.
7. Review lessons learned after the election cycle and revise state inserts as needed.

Appendices

Appendix A — Federal Source Framework

CMS QSSAM-26-04-NH

Title: Protecting the Voting Rights and Autonomy of Vulnerable Residents in Long-Term Care (LTC) Facilities

Date: July 20, 2026

Audience: State Survey Agency Directors

Core point: The memo reinforces existing federal resident-rights obligations. It does not create new regulatory requirements and does not update the State Operations Manual.

Key federal authorities

- **42 C.F.R. § 483.10(a):** The resident has a right to a dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility.
- **42 C.F.R. § 483.10(b):** The resident has the right to exercise rights as a facility resident and as a citizen or resident of the United States.
- **42 C.F.R. § 483.10(b)(1):** The facility must ensure the resident can exercise rights without interference, coercion, discrimination, or reprisal.
- **42 C.F.R. § 483.10(b)(2):** The resident has the right to be free from interference, coercion, discrimination, and reprisal and to receive facility support in exercising rights.
- **42 C.F.R. § 483.10(g)(14):** CMS cites this provision in stating that facilities are expected to notify an authorized representative when a change occurs in the resident's legal or civil rights related to voting.

Official Source

Attach the official CMS memorandum to external correspondence or provide the official CMS link in the state-customized version:

<https://www.cms.gov/files/document/qssam-26-04-nh-original-release-2026-07-20.pdf>



Appendix B — CMS Quality & Safety Special Alert Memo QSSAM-26-04-NH

Official CMS Memorandum

Protecting the Voting Rights and Autonomy of Vulnerable Residents in Long-Term Care (LTC) Facilities

Ref: QSSAM-26-04-NH | Date: July 20, 2026

Insert the full, official CMS memorandum here in the final Word or Google Docs version.

For facility, State Survey Agency, and election-authority packets, the official memo may also be attached separately or linked in the cover correspondence.

[Official CMS PDF](#)

Appendix C — Administrator Federal Compliance Sheet

Facility:

Administrator:

Designated voting coordinator:

Backup coordinator:

Date reviewed:

Federal CMS Compliance Actions

- I reviewed CMS QSSAM-26-04-NH and 42 C.F.R. § 483.10.
- I designated a primary and backup voting coordinator.
- I established a written process for resident requests and staff referrals.
- I trained relevant staff on resident autonomy, neutrality, privacy, and prohibited conduct.
- I established a written process for voting-related materials and outside assistance.
- I established a documented review process for authorized-representative notification questions.
- I reviewed the grievance pathway and State Survey Agency complaint contact.
- I documented training, policy distribution, and significant compliance follow-up.

State Procedure Actions

- I completed the state-procedure insert.
- I confirmed rules for assistance, witnessing, possession, collection, transport, and return of voting materials.
- I identified election-authority contacts and special-voting or bipartisan-assistance options, if available.
- I confirmed applicable registration, ballot, and election deadlines.

Appendix D — Voting Coordinator Quick Guide

When a resident asks for voting-related help

1. Listen without pressure. The resident may choose to participate or decline.
2. Identify the request: information, registration, ballot application, lawful assistance, access to election officials, or another matter.
3. Apply the facility procedure and state-procedure insert. Do not guess.
4. Protect resident choice and privacy.
5. Confirm what assistance and material handling are allowed before anyone acts.
6. Review authorized-representative notification questions through the facility compliance process.
7. Document only what is needed and use the grievance/escalation pathway if a concern arises.

Never Do the Following Unless Clearly Permitted and Assigned

- Register a resident without knowledge and consent.
- Choose candidates, answers, or ballot choices for a resident.
- Complete a mail-in ballot without authorization.
- Handle, witness, collect, transport, or return voting materials outside the authorized process.
- Treat a diagnosis, disability, guardianship, representative relationship, or facility placement as automatic proof of voting eligibility or ineligibility.

Appendix E — All-Staff Poster

RESIDENT VOTING: PROTECT THEIR CHOICE

Residents have the right to vote — and the right to decline.

DO

- Respect the resident's choice and privacy.
- Refer voting questions to the facility voting coordinator.
- Follow the facility's written procedure and state-procedure guidance.
- Document objective concerns and report them through the proper channel.

DO NOT

- Pressure, coach, or influence a resident's political choice.
- Register a resident without knowledge and consent.
- Complete a mail-in ballot without authorization.
- Handle, sign, alter, collect, transport, or return voting materials unless specifically authorized by law and facility procedure.
- Guess about election law. **Stop and ask.**

Facility contact for voting questions: _____

Facility contact for concerns: _____

Federal resident-rights protections apply. State procedure must be followed before action is taken.



Appendix F — Facility Cover Letter Template

[Date]

[Administrator Name]

[Facility Name]

[Address]

Re: Federal CMS Guidance on Resident Voting Rights and Autonomy — QSSAM-26-04-NH

Dear [Administrator Name]:

The Election Integrity Network [State Coalition Name] is providing the enclosed information to support federal CMS resident-rights compliance and lawful, resident-centered voting procedures in certified long-term care facilities.

On July 20, 2026, CMS issued Quality & Safety Special Alert Memo QSSAM-26-04-NH. The memo reinforces existing federal resident-rights obligations under 42 C.F.R. § 483.10. It states that residents retain the right to vote and the equal right to decline participation. Facilities must not interfere with, coerce, discriminate against, retaliate against, or improperly influence residents exercising those rights.

CMS also explains that facilities may not engage in activity that violates federal or state voting law, including registering residents without their knowledge or consent or completing a mail-in ballot without authorization. CMS further states that facilities are expected to notify the resident's authorized representative when a change occurs in the resident's legal or civil rights related to voting.

The enclosed packet includes a federal compliance checklist, all-staff notice, and state-procedure insert. We encourage your facility to identify a voting coordinator, review its staff-referral and material-handling procedures, and consult the appropriate election authority about lawful special-voting or bipartisan-assistance options where available.

This packet is offered as an informational resource and does not replace CMS guidance, the facility's compliance obligations, controlling election procedures, official agency direction, or legal counsel.

Sincerely,

[Name]

[Title], [State Coalition Name]

[Phone] | [Email]

Enclosures: CMS memo or official CMS link; federal compliance sheet; staff poster; state-procedure insert; contact sheet.



Appendix G — State Survey Agency Letter Template

[Date]

[State Survey Agency Director]

[Agency Name]

[Address]

Re: CMS QSSAM-26-04-NH — Federal Resident Voting Rights in Certified Nursing Facilities

Dear [Director Name]:

The Election Integrity Network [State Coalition Name] writes to support resident-centered implementation of CMS Quality & Safety Special Alert Memo QSSAM-26-04-NH, issued July 20, 2026.

The memo reinforces existing federal obligations under 42 C.F.R. § 483.10. It emphasizes that residents retain rights as citizens, including the right to vote and the right to decline participation. Certified facilities must protect residents from interference, coercion, discrimination, reprisal, and improper influence in exercising those rights.

We respectfully ask whether the agency plans to communicate relevant CMS guidance to certified nursing facilities in [State] and to continue receiving and reviewing complaints through established processes. We would welcome any publicly available guidance concerning facility implementation and complaint referral.

Our coalition is preparing federal-CMS-focused educational materials for facilities and volunteers. We intend to direct concerns to the appropriate official process and would value the agency's guidance on public complaint procedures and contact points.

Sincerely,

[Name]

[Title], [State Coalition Name]

[Phone] | [Email]



Appendix H — Election Authority Coordination Letter Template

[Date]

[Name / Title]

[State or Local Election Authority]

[Address]

Re: Coordination on State Procedures Supporting CMS Resident-Rights Compliance in Long-Term Care Facilities

Dear [Name]:

The Election Integrity Network [State Coalition Name] is preparing materials concerning CMS QSSAM-26-04-NH and federal resident-rights protections in certified long-term care facilities.

CMS encourages facilities to coordinate with state election officials to use bipartisan election workers where authorized by state law, reducing reliance on facility staff and the risk of undue influence wherever possible. We respectfully request information on lawful voting-assistance, special-voting, supervised-voting, mobile-polling, or bipartisan-team options available to long-term care facilities in [State/County].

Please identify the appropriate public contact for facilities seeking official assistance and any materials or procedures that can be shared with facility administrators. The federal CMS resident-rights framework is the foundation of our effort; the information requested will help facilities comply with state election procedures while protecting resident autonomy.

Sincerely,

[Name]

[Title], [State Coalition Name]

[Phone] | [Email]

Appendix I — Family and Authorized Representative One-Pager

Resident Voting Rights and Family Questions

Federal CMS Guidance for Certified Long-Term Care Facilities

What federal CMS guidance says: Residents in Medicare- and Medicaid-certified nursing facilities retain the right to vote and the equal right to decline participation. Federal resident-rights rules prohibit facilities and their staff from interfering with, coercing, discriminating against, retaliating against, or improperly influencing residents exercising rights.

CMS states that facilities may not register residents without their knowledge and consent or complete a mail-in ballot on a resident's behalf without authorization.

What you may ask the facility

- Who is the designated facility contact for resident voting questions?
- What written procedure does the facility use when a resident asks for voting-related help?
- How are staff trained on resident autonomy, neutrality, and voting-material boundaries?
- What process does the facility use to address CMS's authorized-representative notification expectation?
- What grievance process should be used if a resident-rights concern arises?
- Which election authority can explain the state procedure for assistance and ballot handling?

Important limits

State procedure controls who may assist a voter and how voting materials may be handled. A family member, guardian, health-care proxy, power of attorney, or authorized representative does not automatically have authority to direct or cast the resident's vote.

If you have a concern

Start with the facility grievance process when appropriate. Concerns about federal certified-facility resident rights may also be referred to the State Survey Agency. Questions about election procedure should go to the appropriate state or local election authority. Report credible allegations of coercion, intimidation, or criminal conduct to the appropriate official authority.

Facility voting contact: _____

State Survey Agency: _____

Election authority: _____

Long-Term Care Ombudsman: _____

Appendix J — Volunteer Contact and Referral Log

Volunteer name:

State coalition:

Date:

Facility name and address:

Facility contact name/title:

Purpose of contact

Delivered CMS-focused informational packet

Asked about designated voting coordinator

Offered official-agency contact connection

Follow-up on prior contact

Documented compliance process concern

Other: _____

Objective notes

Materials provided

Follow-up requested or promised

Referral Needed

No referral

State coalition lead

Facility grievance contact

State Survey Agency

Long-Term Care Ombudsman

State/local election authority

Other official authority: _____

Referral date / recipient / reference number:

Appendix K — State Procedure Customization Worksheet

State:

Prepared by:

Date reviewed:

Legal/compliance reviewer:

Purpose

This worksheet identifies the state election procedures facilities must follow while carrying out their federal CMS resident-rights duties. It does not replace or qualify the federal baseline.

State procedure topic	State rule / citation	Official source or contact	Completed?
Voter eligibility and any applicable capacity standard			☐
Guardianship / authorized representative effect			☐
Permitted voter assistants			☐
Prohibited voter assistants			☐
Registration procedure and deadlines			☐
Mail-ballot request procedure			☐
Witnessing / notarization			☐
Ballot possession, collection, transport, and return			☐
Special voting deputies / supervised voting / mobile polling			☐

State procedure topic	State rule / citation	Official source or contact	Completed?
Bipartisan election-worker procedure			☐
State Survey Agency complaint contact			☐
Long-Term Care Ombudsman contact			☐
State election authority contact			☐
Local election authority contact path			☐