

The Academy Weekly

News & Information for LTC Providers



The Academy of Senior Health Sciences, Inc.

www.seniorhealthsciences.org

Week of 18 August 2019

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HCBS waiver integration/rules reviewed

The Home and Community Based Services Stakeholder meeting took place last week.

Below are highlights from the meeting:

Waiver alignment: ODM continues its work with the Department of Aging on aligning waiver services and procedures. This past July, a series of rules went into effect to better align services. The incident management service now handles incidents for all waivers. The next step in waiver alignment, slated for July 1 of 2020, is integrating self direction into the home care waiver, and aligning specialized medical equipment, supplies and devices, and vehicle modifications.

Managed care option: ODM is proposing rules that would allow community Medicaid

members to retain their managed care when they become eligible for a waiver service. The waiver services would be provided under fee for service; however, the person could continue to receive their other health care services from their managed care organization. Currently, a person would drop managed care to receive waiver services. Dual eligible and the other exemptions to community managed care would remain in place. ODM expects a January 15, 2020 implementation date.

Rules: ODM proposed six rule changes at the meeting with a target effective date of February 1, 2020:

OAC 5160-44-26 (NF-based LOC HCBS: Community Transition Services): CMS said initial food is excluded from community transition services, so removing it; part of "room and board" which is not allowed

OAC 5160-45-06 (ODM-adm Waivers: Structural Reviews of Providers and Investigation of Provider Occurrences):

- Structural review changes; updates rule for current processes, including allowing ODM to do a review if they feel necessary and allowing 2 years between reviews.
- Only applies to home care waiver providers, including MyCare, except review for MyCare would not include billing (ODM administered waivers)
- Added (f) that must comply with CMS HCBS setting requirements
- Guidance will be issued related to time for plan of corrections for provider occurrences (not necessarily a critical incident) - "prescribed timelines"; will be between 15 and 45 days and be based on the violation, will be determined and included in guidance when rule becomes effective

OAC 5160-44-31 (ODM-adm Waivers: Provider Conditions of Participation):

- Added "Successfully complete ODM-mandated new provider training within ninety days after a new provider's medicaid enrollment date."
- ODM is developing the required training, based solely on the rules

OAC 5160-45-10 (ODM-adm Waivers: Provider Conditions of Participation) and OAC 5160-46-04 (OHCW: Service Specs/Provider Requirements):

- To be rescinded and replaced with 44-31

OAC 5160-45-01 (ODM-adm Waivers: Definitions)

- Updating references and definitions

Please [contact The Academy](#) if you have any questions or require more information.

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AGE opens training grant opportunities

The Department of Aging has opened training grant opportunities reported in the last edition of *The Weekly*. From AGE: "You are invited to participate in the Creating a Culture of Person-Directed Dementia Care, a collaborative grant project between the Ohio Office of the State Long-Term Care Ombudsman and The Eden Alternative. You will learn side-by-side with Ohio nursing home providers, state surveyors and ombudsman to create well-being for those living with dementia and hone your leadership skills. There are limited grant-funded registrations for Medicaid-Certified Nursing Facilities, Ohio Ombudsmen and State Surveyors to attend each of the following grant-funded educational offerings:

- Dementia Beyond Drugs – 2 days in-person
- Leadership Pathways to Culture Change - 2 days in-person
- Facilitative Leadership - online

[To learn more and to register, click here.](#) At checkout, *Ohio Medicaid-Certified Nursing Facilities* should enter discount code: Ohio Grant

The training cost is covered by the grant, however, there is a \$65 charge for food for each of the two-day in-person events. Please register your team soon. Space is limited." [\(Back to top.\)](#)

Possible opioid settlement funds sought by many

The prospect of billions of dollars in opioid settlements has many organizations and government entities claiming that they are the best recipients for spending those funds. It has even brought former Governor Kasich and OSU president Gee back together. The outcome of thousands of lawsuits against pharmaceutical companies has yet to be decided; however, many believe a settlement similar to that with the tobacco companies is in the future. The tobacco money went to the states, some of whom used the dollars to shore-up budgets during the last recession. State and local government agencies, along with local non-profits that provide treatment for addiction, believe they are best suited to determine how the money is to be spent. Kasich and Gee have created a non-profit organization that wants to see money go to the hospitals. As of now, the fate of the lawsuits is in the hands of the courts and any settlement has yet to be worked out. [\(Back to top.\)](#)

Times is running out to maximize your sponsorship!

Next week we will open registration to the conference and begin our marketing campaign. And your company can do the same! All you have to do is become a conference sponsor. The basic sponsorship includes your company information with all of our conference marketing materials, signage at the conference, and your company listed on our conference app - for as little as \$300. Sponsor the Wednesday breakfast and get additional signage and recognition. Don't wait any longer. Maximize your sponsorship - [click here and order your sponsorship now!](#) See you at the conference November 19 and 20! ([Back to top.](#))



compmanagement

National News

CMS QSO 19-09-REVISED (Revisions to Appendix Q, Guidance on Immediate Jeopardy)

From CMS:"Core Appendix Q and Subparts -Appendix Q to the State Operations Manual (SOM), which provides guidance for identifying immediate jeopardy, has been revised. The revision creates a Core Appendix Q that will be used by surveyors of all provider and supplier types in determining when to cite immediate jeopardy. CMS has drafted subparts to Appendix Q that focus on immediate jeopardy concerns occurring in nursing homes and clinical laboratories since those provider types have specific policies related to immediate jeopardy. Appendix Q has been revised to reinsert language referring criminal acts to local law enforcement. • Key Components of Immediate Jeopardy – To cite immediate jeopardy, surveyors determine that (1) noncompliance (2) caused or created a likelihood that serious injury, harm, impairment or death to one or more recipients would occur or recur; and (3) immediate action is necessary to prevent the occurrence or recurrence of serious injury, harm, impairment or death to one or more recipients. • Immediate Jeopardy Template – A template has been developed to assist surveyors in documenting the information necessary to establish each of the key components of immediate jeopardy. Survey teams must use the immediate jeopardy template attached to Appendix Q to document evidence of each component of immediate jeopardy and use the template to convey information to the surveyed entity."

[Download QSO 19-09 REVISED by clicking here.](#)

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CMS MLN Connects

News

- [Overall Hospital Quality Star Ratings: Upcoming Enhancement](#)
- [Pneumococcal Vaccine Eligibility Data Issue](#)
- [Venipuncture: Comparative Billing Report in August](#)
- [SNF Provider Preview Reports: Review Your Data by September 16](#)
- [SNF PPS Patient Driven Payment Model: Get Ready for Implementation on October 1](#)
- [Promoting Interoperability: 2019 Program Requirements for Hospitals](#)
- [Quality Payment Program Exception Applications](#)
- [Hospice Compare Refresh](#)
- [Medicare Diabetes Prevention Program: Become a Medicare Enrolled Supplier](#)
- [CBRs: We Want Your Feedback](#)

Compliance

- [Ambulance Fee Schedule and Medicare Transports](#)

Claims, Pricers & Codes

- [MACRA Patient Relationship Categories and Codes: Reporting HCPCS Level II Modifiers](#)

Events

- [Understanding Your SNF VBP Program Performance Score Report Call — August 27](#)
- [Dementia Care: Supporting Comfort and Resident Preferences Call — September 10](#)

MLN Matters® Articles

- [New Medicare Beneficiary Identifier \(MBI\) Get It, Use It — Reissued](#)
- [Medicare Coverable Services for Integrative and Non-pharmacological Chronic Pain Management](#)
- [Quarterly Update to the Medicare Physician Fee Schedule Database \(MPFSDB\) — October 2019 Update](#)

- [Manual Update to Sections 1.2 and 10.2.1 in Chapter 18 of the Medicare Claims Processing Manual](#)
- [Quarterly Healthcare Common Procedure Coding System \(HCPCS\) Drug/Biological Code Changes - October 2019 Update](#)
- [Inpatient Rehabilitation Facility \(IRF\) Annual Update: Prospective Payment System \(PPS\) Pricer Changes for FY 2020 – Revised](#)

Publications

- [MLN Catalog September 2019 Edition](#)
- [Ambulance Fee Schedule and Medicare Transports](#)
- [QPP: New Resources](#)
- [Getting Started with Hospice CASPER Review and Correct Reports](#)
- [Behavioral Health Integration – Revised](#)
- [Critical Access Hospital – Revised](#)
- [Swing Bed Services – Revised](#)
- [Screening Pap Tests and Pelvic Examinations Booklet – Revised](#)
- [Hospices: CASPER QM Fact Sheet – Updated](#)

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ODDS AND ENDS

Academy suspending Residents' Rights Booklet orders

The Academy will not be processing any further Residents' Rights Booklet orders pending the outcome of CMS's proposed rules that relate to the timing of the implementation of related

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NOTABLE DATES OR EVENTS

[CGS: PDPM - MDS Updates](#)

September 4, 11 AM to 12:30 PM

federal sections of the booklets. We anticipate beginning to fulfill orders again in late September. If your facility needs booklets, [please contact The Academy](#) to determine how best we can meet those needs.

Webinar

[CMS provider preview report deadline](#)

September 16

[PDPM Implementation](#)

Effective October 1

ASHS/OANAC Fall Conference

November 19 and 20

Columbus, OH

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