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Budget process underway—the time to act is now! – The House Finance Committee is wrapping-up hearings on the budget bill and will be mulling over a litany of possible recommendations to change the proposal as introduced by Governor Strickland. While this is the initial stage in a lengthy budget process, it is important that legislators hear from their constituents that they are against the Governor's budget proposal and support fair funding for skilled nursing care. The bill, as introduced, 1) directs zero federal stimulus dollars to long-term care; 2) takes skilled nursing facilities to the "price" as of July 1, 2009, costing many Ohio facilities millions of dollars over the biennium; and 3) increases the bed tax an additional \$4.75 per bed per day, while facilities would be unable to recoup the Medicare drawdown as with previous bed tax increases. These three "strikes" combined would have a devastating impact on most skilled nursing facilities in Ohio. The Academy is asking you, our members, to encourage residents, staff, and their families to write personal letters to their state representatives and Governor Strickland about how the proposal will impact them personally and request fair funding. Visit the [Skilled Nursing Care Coalition website](#) or the Academy's online [Legislative Action Center](#) to find state legislators and learn more about the overwhelming impact the Governor's proposal could have on the industry. Academy staff is available to assist members in generating grassroots support for fair funding. Please contact [Victoria Gresh](#) or [Chris Murray](#). **The time for action is now!** ([Back to top](#)).

Vaccinate your facility against hospital blame – Do you want to protect your facility from hospital blame? Then plan to attend "**Managing Risk in the LTC Environment in Light of Medicare Hospital Regulatory Changes.**" As of October 1, 2008 CMS initiated changes in the Medicare reimbursement system for conditions which they label as "hospital acquired conditions due to complications associated with poor nursing care that should never happen in an acute care setting." If one of these conditions occurs, the hospital will not receive reimbursement for any treatment rendered with without significant physician documentation determining the condition occurred outside the hospital. How could this affect YOUR facility? Several of the conditions which this new regulation covers, such as pressure sores, falls with trauma, and infections related to catheters occur frequently within the LTC environment. This new regulation could lead to blaming between the hospital and the LTC facility. "Managing Risk in the LTC in Light of Medicare Hospital Regulatory Changes" will teach you how to protect your facility with an action plan to turn the negatives of the regulation into positives. Dates and locations are:

- **Cleveland – Tuesday, April 21**
Holiday Inn Independence

6001 Rockside Road
Independence, Ohio 44131

- **Columbus – Tuesday, April 28**
Confluence Park Restaurant
679 W. Spring Street
Columbus, Ohio 43215
- **Cincinnati – Thursday, April 30**
Kings Island Resort
5691 Kings Island Dr.
Mason, Ohio 45040

This new regional educational program will be held from 10 a.m. to 3 p.m. and has been approved for four (4) hours of CEU. Academy members may attend this program for \$89 and non-members may attend for \$129. A member facility may send three employees for the discounted price of \$199, a savings of \$68! Information has been faxed or you can register online at <http://www.oanh.org/educationalofferings.shtml>. For questions, contact Dawn Kennedy. ([Back to top](#)).

Basic QIS a huge success in Cleveland and Columbus—catch it in Cincinnati!

“Well worth the time and money” and “Best QIS seminar I have ever attended” were just a few of the positive comments made by attendees at “**Basic QIS**” this week in Cleveland and Columbus. If you didn’t have a chance to make it to Cleveland or Columbus, you can still attend this great class in Cincinnati on Wednesday, March 31. Register for “Basic QIS” to learn the information you need to be successful in this new survey environment. The class will be from 8:30 a.m. to 4 p.m. and will include lunch. American Medical Equipment has generously sponsored these classes and is offering attendees the option of attending “**Negative Pressure Wound Therapy**” for an additional hour of CEU from 4 to 5 p.m. “Basic QIS” has been approved for seven (7) hours of CEU from BENHA and “Negative Pressure Wound Therapy” has been approved for one (1) hour of CEU. Attendance at “Negative Pressure Wound Therapy” is optional, but only those attendees who stay will be given the additional one hour of CEU. Academy members may attend these programs for \$149 and non-members may attend for \$199. A member facility may send three employees for the discounted price of \$359, a savings of \$88! Information has been faxed and mailed. You can also register online at <http://www.oanh.org/educationalofferings.shtml>. For questions, contact [Dawn Kennedy](#). ([Back to top](#)).

ODA issues Medicaid AL waiver report – The Ohio Department of Aging (ODA) recently released the results of the second phase of evaluation for the state's Assisted Living Waiver Program. The evaluation, conducted by researchers at the Scripps Gerontology Center at Miami University, the Benjamin Rose Institute and the Jesse Richardson Foundation, includes a comparison of participating and non-participating providers, a profile of waiver participants, participant satisfaction data, program costs and overall design issues. The report is available on ODA's website, www.aging.ohio.gov. Among the key findings:

- While the program enrolled fewer people than expected in the first year, enrollment increased considerably in the second, and trends indicate the state will be close to meeting its maximum slots by the end of the biennium.
- At the beginning of February, 2009, the program had 169 certified providers. Researchers determined that 367 facilities statewide meet the criteria to be a participating provider, resulting in a 46 percent participation rate among providers.
- There are currently more than 1,000 participants, though more than 500 potential participants are waiting to enroll for the program. The primary barrier to enrollment for most consumers is the lack of an available local facility.
- Assisted Living Waiver Program consumers tend to be less functionally impaired than nursing home residents, but have more cognitive impairments than participants in the state's PASSPORT home care program.
- Since the program began, about 20 percent of participants have left the program. About half of these moved to a nursing home, while one in five died.
- Consumers in the Assisted Living Waiver Program reported satisfaction scores for their providers comparable to non-waiver assisted living residents.

(Source: Ohio Department of Aging press release, March 18, 2009) ([Back to top](#)).

Sustain your business in this tough economy with an ad in the directory – To remain competitive and successful in this tough economy, it's important to continue advertising your products and services in the long-term care community. Companies that advertise in the new 2009 OANH Membership Directory will be immediately visible by decision-makers! **The new deadline for**

advertisements is May 1. Ads received after this date may not be published. To reserve your ad go to <http://www.oanh.org/bus-dev.pdf>. Burgie MediaFusion will publish the new directory. ([Back to top](#)).

Administrators and DONs: be recognized by your peers – Do you want to add an achievement to your resume that will gain you recognition among your peers? Consider submitting an article for *The Academy Advocate*! This is a great way for long-term care professionals to be recognized among colleagues. Not only will you gain “face time” with your headshot published alongside your article, but you will also share your unique ideas and practices with other long-term care professionals. If interested, email [Christina O’Neal](#) at the Academy. **All articles are due no later than June 1, 2009.** All authors are required to submit a professional headshot and sign the [article release form](#). ([Back to top](#)).

Update from CMS – The Centers for Medicare & Medicaid Services (CMS) recently released the following information of interest to long-term care providers:

- **Survey & Certification Memos**

- [09-27: Updated Interim Guidance Regarding the Temporary Mid-Level Staffing Waiver for Rural Health Clinics \(RHCs\) \(03/13/09\)](#)

This memo updates the February 6, 1998 policy concerning temporary mid-level staffing waivers for RHCs to be consistent with both the June 27, 2008 proposed rule (73 FR 36696) and the regulations that were published December 24, 2003 (68 FR 74792). This memo supersedes S&C-09-14 issued November 21, 2008. Applicants requesting participation in Medicare as an RHC must have a mid-level practitioner on staff at least 50 percent of the time in order to receive RHC status. However, if after being certified, an RHC loses its mid-level practitioner and demonstrates its inability to recruit a replacement within the previous 90-day period, the facility may request a temporary staffing waiver. Only existing RHCs may request a waiver and it does not depend on what date the RHC was initially certified for participation in Medicare.

- [09-28: Publication of Proposed Regulations for Gynecologic Cytology Proficiency Testing \(PT\) under the Clinical Laboratory Improvement Amendments of 1988 \(CLIA\) \(03/13/09\)](#)

A proposed rule, published on January 16, 2009, updates the current regulations implementing a statutory mandate that physicians (pathologists) and cytotechnologists (laboratory technologists with special training in cytology) who screen Pap tests periodically demonstrate their proficiency in examining and interpreting proficiency testing samples. The public comment period ended on March 17, 2009.

- **Five-Star Rating**

Providers can access their March Five-Star Rating information on the MDS State Welcome page available on the state servers used to submit Minimum Data Set (MDS) data. To access these reports select the CASPER Reporting link located at the bottom of the login page, then:

- i. Click on the 'Folders' button and access the Five Star Report in your 'st LTC facid' folder,
- ii. Where st is the two-digit postal code of the state in which your facility is located and
- iii. Facid is the state assigned facid of your facility.

The Five-Star Helpline phone number is 1-800-839-9290 and will be open for providers from 9 a.m. to 5 p.m. beginning Wednesday, March 18 through Thursday, April 2, 2009 to address any March data concerns. Nursing Home Compare will update with March’s Five-Star data on Thursday, March 26, 2009.

- **Next SNF Open Door Forum**

The next Skilled Nursing Facilities/Long Term Care Open Door Forum is scheduled for Thursday, April 16, 2009. To participate by phone, dial 1-800-837-1935; conference ID: 89325891.

- **GAO Report on Funding of State Oversight Activities Released**

The GAO report titled, [Medicare and Medicaid Participating Facilities - CMS Needs to Reexamine Its Approach for Funding State Oversight of Health Care Facilities](#) was released on March 19, 2009. It can be accessed at: <http://www.gao.gov/new.items/d0964.pdf>.

- **Federally Qualified Health Centers**

An update to Chapter 2 of the SOM and two exhibits was released to the FIs/carriers on March 20, 2009 in Transmittal 40, [which is attached](#). There are changes to the general certification information, the information for FQHCs and Exhibits 177 and 179. ([Back to top](#)).

PASRR rule changes take shape – The Home Choice Front Door Stakeholder Group met this week for a final review of proposed Preadmission Screening and Resident Review (PASRR) rules. The rules make significant changes to PASRR, mostly in the area of tracking exempted individuals, hospital exemption (formally known as a convalescent stay) criteria, and discharge planning. More specifically, the proposed rules would:

- Allow additional personnel to perform face to face assessments and level 2 MI evaluations
- Create a new PAS exemption form that includes more information on community placement
- Individuals with an adverse PAS determination within the past 60 days must undergo a PAS/ID
- More entities would receive PAS determinations including ODJFS and CDJFS if on Medicaid
- Increases who can request a PAS/ID or RR
- Increases the role community systems play in the discharge planning of an individual after an adverse RR

The rules are expected to be in clearance March 30, at which time ODJFS will be accepting written public comments over the next two weeks. For more information, please contact [Chris Murray](#).
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ODMR/DD releases updated forms – The Ohio Department of Mental Retardation and Developmental Disabilities (ODMR/DD) has updated forms and procedures that are now available on the ODMR/DD website. Although in many cases the changes or forms are not ‘new,’ they have been added to clarify current ODMR/DD processes and to ensure compliance with current rules. ODMR/DD is setting a deadline of April 30, 2009 for full implementation of these new forms. The new forms are available at website at <http://mrdd.ohio.gov/medicaid/enrollment.htm>. Word documents will also be available upon request. (Source: ODMR/DD provider notice)
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Do you want to change the Ohio Fire Code? – The Academy and other long-term care trade associations were among a variety of stakeholders who met with members of the State Fire Marshal’s office to review the process for the next scheduled revision of the Ohio Fire Code. Bureau Chief Patrick Wambo explained that the Marshal’s office desires input from those affected by the code. This process will be open to the public and YOU can be a part of it. The current Ohio Fire Code is available for viewing at <https://www2.iccsafe.org/states/ohiofire/>. OANH would like to gather any suggested changes from providers and present them together. If there is a portion of the code that concerns you please contact [Dawn Kennedy](#) to discuss this process and proposed changes.
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