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House returns to SNFs what Governor took away – The Ohio House of Representatives restored skilled nursing facility (SNF) funding to fiscal year (FY) 2009 levels in the Substitute House Bill 1 introduced earlier this week. The Governor had proposed reducing funding levels to SNFs by about \$187 million. The House added those dollars back into the SNF budget by using the \$40 million reserved for capital in the Governor's budget and an addition \$33.5 million to drawdown federal funds, including stimulus dollars. The franchise permit fee remains at \$11 per day in the sub bill; however, there is language to free tax exempt, non Medicaid and Medicare facilities from paying the tax. The sub bill retracts the Governor's plan of moving to pricing on July 1, 2009 and instead creates a transitional plan of two years for under the price providers and six years for over the price providers. More specifically, the bill's provisions are as follows:

- Under price providers will see their rates go to price in FY2011 (half the difference in FY2010 then full price in FY2011)
- Over price providers will see their rates reduced by 1/6 the difference between their rate and price in FY2010, and then 1/3 (2/6) the difference between their rate and price in FY2011 (six year transition to full price)
- Prices are increased \$3.00 in FY2010 for all facilities and an additional \$5.00 for facilities with 250 or more Medicaid certified beds
- Prices are increased \$5.35 in FY2011 (over FY2009 levels) and an additional \$5.00 for facilities with 250 or more Medicaid certified beds
- Statutory capital prices are set at the greater of FY2005 capital plus any capital compensation per diem or the price (Note: the transition language refers to the median capital rate, so it is uncertain at this time what the capital language would do over the biennium, if anything)
- Tax exempt providers that do not participate in the Medicare or Medicaid program and provide services for the life of the resident are exempt from the \$11 FPF
- Facilities with 200 or more Medicaid beds will have their FPF reduced as necessary to meet CMS waiver requirements for the above exemption
- All other facilities will have their FPF increased to offset any reduction in FPF taxes paid because of the exemption and reduced rates.
- Certificate of Need program same as the Governor's proposal (bed need formula based)

- Removes limit on assisted living waiver slots
 - No change in ICF/MR rates from Governor's proposal (FPF increase and mean rate cut)
- For more information on the budget bill, contact [Chris Murray](#) or [Victoria Gresh](#). ([Back to top](#)).

“Is that considered abuse or neglect? Do we need to report it?” – Has this question surfaced at your facility? Do you understand the state's definition of abuse and neglect, and when you must report an incident? Learn this and much more at **“Definitions of Abuse & Neglect.”** This new regional education program will be held Thursday, May 14 from 10 a.m. to 3 p.m. in Columbus. This course will be taught by former ODH criminal investigator, Robert Reed of the Critical Incident Group and has been approved for four (4) hours of CEU from BENHA. 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! Watch your fax for more information or you can register online at <http://www.oanh.org/educationalofferings.shtml>. For questions, contact [Dawn Kennedy](#). ([Back to top](#)).

Time to tee it up for the PAC ! – Why sit in your office on May 18 when you could be enjoying a beautiful day of golf and networking at the Academy's Political Action Committee (PAC) Golf Outing? Register now to show members you support their association. Whether your company sends a foursome, sponsors a hole or donates a prize, being a part of this annual member favorite is great way to get recognized by Academy members. This year the outing will take place on **Monday, May 18 at the private Medallion Club in Westerville, Ohio**. Registration and lunch will begin at 11:30 a.m. with a shotgun start at 1 p.m. After a challenging game of golf, attendees will stay at the course for food, drinks and prizes at the “19th Hole” reception. Prices are \$250 per golfer or \$950 per foursome. Registration brochures have been mailed and you can also view the brochure at www.oanh.org. For more information and to discuss sponsorship opportunities, contact [Dawn Kennedy](#). ([Back to top](#)).

“Managing Risk” course a big hit in Cleveland—catch it in Columbus and Cincinnati – **“Managing Risk in the LTC Environment in Light of Medicare Hospital Regulatory Changes”** was a huge hit in Cleveland this week. Attendees described the course as “having great information” and “being something every administrator should go to.” If you missed this great class in Cleveland, you can still catch it in Columbus and Cincinnati. Why should you plan to attend this course? 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 without significant physician documentation determining the condition occurred outside of the hospital. How does this affect facilities? Several of the conditions in question such as pressure sores, falls with trauma, and infections related to catheters occur frequently in the LTC environment. This new regulation could lead to blaming between the hospital and LTC facility. “Managing Risk in the LTC in Light of Medicare Hospital Regulatory Changes” will teach you how to deal with this new regulation and develop an action plan to turn the negatives of the regulations into positives.

Dates and locations are:

- **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

“Managing Risk in the LTC in Light of Medicare Hospital Regulatory Changes” 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! Watch your fax for more information or you can register online at <http://www.oanh.org/educationalofferings.shtml>. For questions, contact [Dawn Kennedy](#). ([Back to top](#)).

Free Anthem teleconference slated for Monday, April 27 – Plan on participating in the upcoming free Anthem teleconference that will help your facility handle Anthem billing concerns. This teleconference is slated to begin at **1 p.m. on Monday, April 27** and should last approximately until 2:15 p.m. While the teleconference will not cover specific claim issues, it will cover the Anthem online

system, eligibility inquiry, claims inquiry, fee schedule, remittance inquiry, types of Anthem plans and where each are located. For log in information [click here](#). ([Back to top](#)).

NEW FEATURE! Share your thoughts in *The Academy Advocate* and receive a free education course – The Academy wants to know what you are doing at your facility, and we will reward you for telling us! As part of *The Academy Advocate* redesign, the magazine will have a new feature “Member Viewpoint.” In this section, members will address specific questions relating to a long-term care issue. If you answer the question and your answer is published, you will receive a coupon for a free Academy education course. This issue’s question is: “**Community exposure is part of any facility’s successful marketing campaign. How does your facility gain exposure in your local community?**” Answers (250 words or less) can be emailed to [Dawn Kennedy](#) and must include your name, position, the facility’s name and a headshot of the author. All answers should be emailed prior to May 22 and authors of published answers will be notified on June 5. ([Back to top](#)).

Don’t make convention goers wonder where you are (and if you’re still around!) – Convention attendees notice who is represented at the annual trade show and who isn’t. In today’s challenging economic times, don’t let Academy members question if your company is still around. Show them that even in tough times, you support their organization. Now is the time to reserve your 2009 Trade Show booth to get your preferred location. The 2009 OANH Convention & Trade Show will be held Oct. 21-23, 2009 (Wednesday - Friday) at the Hilton Columbus at Easton. Trade show hours will be very similar to the 2008 show.

Booth prices are as follows:

- **Regular Booth Pricing**
Early Bird Booth Prices (Through June 30, 2009)
OANH Member: \$875
Non-Member: \$975
Regular Booth Prices (After June 30, 2009)
OANH Member: \$975
Non-Member: \$1,075
- **Premium Booth Pricing**
Early Bird (Through June 30, 2009): \$1,075
Regular (After June 30, 2009): \$1,275

Contracts for 2009 are available via the [OANH website](#), or you can contact [Dawn Kennedy](#) to reserve your booth. ([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:

- **DMEPOS Competitive Bidding Program**

The Medicare Improvements for Patients and Providers Act of 2008 (MIPPA), enacted on July 15, 2008, made limited changes to the competitive bidding program for Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS), including a requirement that the Secretary conduct a second competition to select suppliers for Round 1 in 2009. CMS issued an interim final rule with comment period (IFC) on January 16, 2009. The rule incorporates into existing regulations specific statutory requirements contained in MIPPA related to the competitive bidding program. The Administration delayed the effective date for the IFC to allow CMS officials the opportunity for further review of the issues of law and policy raised by the rule. Based upon its review and on the need to ensure that CMS is able to meet the statutory deadlines contained in MIPPA, the Administration has concluded that the effective date should not be further delayed. The rule became effective April 18, 2009. However, there will be no immediate effect on the Medicare DMEPOS benefit and Medicare beneficiaries may continue to use their current DMEPOS suppliers at this time. During the comment period, CMS received many suggestions by a range of stakeholders to make further improvements to the competitive bidding program, such as ensuring that CMS’s processes for collecting and evaluating bids are fair and transparent. In the upcoming weeks, CMS will be issuing further guidance on the timeline for and bidding requirements related to the Round 1 re-bid. In finalizing these guidelines, CMS will continue to seek input from all affected stakeholders to ensure program implementation consistent with the legislative requirements.

- **MDS 3.0**

The MDS 3.0 timeline is available for download by [clicking here](#).

- **Five Star Quality Rating System**

The Five-Star provider preview reports are now available. Providers can access the report from the Minimum Data Set (MDS) State Welcome pages available at the state servers for submission of MDS

data.

1. Provider Preview access information:

- Visit the MDS state welcome page available on the state servers where you submit Minimum Data Set (MDS) data to review your results.
- To access these reports select the Certification and Survey Provider Enhanced Reports (CASPER) Reporting link located at the bottom of the login page.
- Once in the CASPER Reporting system,
 - 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.

2. The Five-Star Helpline will be open for providers from 9 a.m. to 5 p.m. beginning Thursday, April 16, 2009 through Friday, May 1, 2009 to address any April's data concerns.

3. There will be no Five-Star helpline access for the months of May and June to coincide with the release of each month's preview data. For Five-Star provider preview questions during these months, use the BetterCare@cms.hhs.gov email. The helpline will begin quarterly operation beginning in July.

4. Nursing Home Compare will update with April's Five-Star data on Thursday, April 23, 2009.

• **CMS Open Door Forum**

CMS will hold a Special Open Door Forum to discuss the availability of Internet-based Provider Enrollment, Chain and Ownership System (PECOS) and the implementation of regulatory provisions. To participate, dial 1-800-837-1935; conference ID 94109369. Capacity is limited so please dial in early. ([Back to top](#)).

The Academy Advocate: a marketing tool you need – *The Academy Advocate* is a great marketing tool for both full (facility) and associate (vendor) members. With an exciting new look and design, the upcoming summer issue will be of even more benefit to members than ever before!

- **Associate Members:** Place an ad and industry leaders will know who you are, what you do, and how you serve the long-term care profession. Be creative and highlight your products and services and show that your company supports the Academy! To place an ad, email it to [Christina O'Neal](mailto:ChristinaO'Neal) in a PDF or JPG format. Go to <http://www.oanh.org/bus-dev.pdf> to view all ad prices and specs. All ads are due no later than Monday, June 1. The editorial staff cannot guarantee that an ad received after this date or due to space will be published.
- **Administrators and facility professionals:** Write an article and share your unique knowledge with other long-term care professionals. Not only will you add this publication to your resume, but you will also be recognized among your colleagues with your headshot prominently displayed with your article!

To contribute an informational article for consideration, you must sign the [article release form](#) and email a professional headshot of the author to [Christina O'Neal](mailto:ChristinaO'Neal). All articles are due no later than Monday, June 1. The editorial staff cannot guarantee that an article received after this date or due to space will be published. Burgie MediaFusion will publish the magazine. ([Back to top](#)).

Has your facility received an outstanding survey? The Academy wants to recognize you!

– The Academy recognizes any facility member that has received an outstanding Ohio Department of Health survey. With the statewide average now at seven deficiencies, and the national average at eight, an excellent survey is something that should be acknowledged! Executive Director Victoria Gresh will present the award to your facility and it will be highlighted on the website at <http://www.oanh.org/facility.shtml> and in *The Academy Advocate*. The Academy presents three types of awards to member facilities:

- **Perfect Survey Award**—presented to facilities with zero deficiencies.
- **Perfect Life Safety Survey Award**—presented to facilities with zero deficiencies in the Life Safety survey.
- **Award of Excellence**—presented to facilities with three or fewer deficiencies.

Please contact [Christina O'Neal](mailto:ChristinaO'Neal) to schedule your awards presentation. ([Back to top](#)).