



Helping innovative long-term care professionals provide quality health care to Ohioans.

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**Fourth quarter FPF rates adjusted for waiver** – The Ohio Department of Job and Family Services (ODJFS) released the franchise permit fee (FPF) rate adjustments as a result of a waiver for charity care facilities. The new rates are \$12.06 a day for certified beds up to 200 at a facility, \$9.99 a day for any certified beds in excess of 200 at a facility, and zero for facilities that qualify for the waiver. The rate changes are effective for the fourth quarter fiscal year 2010 payment due August 14, 2010. ODJFS [will mail a letter](#) with the revised rates to facilities next week with an appeal deadline around July 7. ODJFS notes that the calculation for the revised fee is still based on May 2009 beds and any appeals should be related to the calculation of the FPF. To qualify for the waiver, a facility must meet the requirements outlined in [ORC section 3721.511](#). Please contact [Chris Murray](#) for more information. ([Back to top](#)).

**ODJFS kicks-off long-term care provider meetings** – The Ohio Department of Job and Family Service (ODJFS) began a series of monthly meetings with provider associations representing facility based long-term care. The meetings are to provide an open forum to discuss issues with ODJFS staff, similar to the Ohio Department of Health monthly provider meetings. Providers can submit agenda items to ODJFS and, to the extent possible, ODJFS will have issue experts to provide information and answer questions. The following items were discussed at this month's meeting:

- Ohio Health Plans Reorganization: ODJFS office of Ohio Health Plans was recently reorganized to use staff more efficiently. Among other changes, cost report staff was moved to fiscal and policy staff was grouped by population with the goal of consistent policies across populations.
- CPAO Update: OJDJS is reporting that they have a fix for false positives in the reports. Currently the fix is being done manually and program changes for eligibility (the source of a majority of the false positives) should be done by July 1. All recent change of operators should have any false positives removed and ODJFS is currently reviewing past reports that are still open. Field training should be done in July and August at which time current reports should be clean.
- FPF: ODJFS announced the timeline for changes to the FPF assessment because of the fee waiver granted by CMS. The FPF will increase \$0.05 per day for most beds (see related story).
- MITS Update: Training for MITs will begin this fall (September). Provider enrollment and updating will be done online, as well as limited claims processing. A maximum of 50 claims a month can be submitted via the web portal. Online claims will be processed in real-time and can be adjusted, queried, copied, or resubmitted. The latest news on MITS can be found [here](#).
- Electronic Transmission of IAF Reports: ODJFS will begin electronically sending IAF reports next

quarter. Currently, over 300 ICF-MR providers have signed-up to receive the reports electronically. ODJFS will send the reports both electronically and by paper, with electronic reports being an option. Eventually ODJFS would like to go paperless, but there is no timeline as to when that would occur.

- MDS 3.0 Update: CMS is requiring that Section Q (desire and prospects for return to community) data be sent to a local contact agency determined by the state's Medicaid agency (ODJFS). ODJFS is in the process of trying to determine how to comply with that rule while avoiding duplication of efforts around single point of entry and diversion and transfer efforts currently in process. A determination needs to be made by October 1 when MDS 3.0 is implemented.

For more information on the provider meeting or to submit a possible agenda item, please contact [Chris Murray](#). ([Back to top](#)).

**ODH monthly provider meeting notes** – The Ohio Department of Health (ODH) met with long-term care provider associations and other state officials this week. Below are notes from the meeting:

- ODH provided clarification on the scheduling of fire drills at various times. ODH noted that it can be interpreted as any scheduling within one hour of the previous drill is not varied enough. ODH also noted that fire drills can occur around a shift change, but if they do, it can only count as one drill and not as a drill for both shifts.
- There is nothing in the regulations that prevent a provider from limiting how far a window opens, only that the window needs to be operational.
- [ODH released guidance](#) on over-the-counter (OTC) medication labeling. All OTC medications would follow this guidance, including bed side. It was noted that a pharmacy label for OTC drugs is not the correct label. The Pharmacy Board does not consider OTC drugs to be a controlled substance and therefore not a prescription drug even if a prescription is written by a doctor.
- ODH will not necessarily schedule an on-site survey for a non-resident complaint that is not IJ or higher within 45 days. ODH considers the nature of the complaint and the facility's survey history when determining if they can wait until the next on-site visit, which may be more than 45 days.
- ODH is implementing a new process for jeopardy citations in an attempt to expedite the process. In the past, it could take up to three weeks for a final determination of jeopardy. Because the process has only been recently implemented, it has not been determined if process times have been decreased.
- Facilities should be receiving their family satisfaction surveys this week.

For more information on the ODH monthly provider meeting, please contact [Dawn Kennedy](#) or [Chris Murray](#). ([Back to top](#)).

**Interested parties continue to discuss SNF rule changes** – A group of interested parties assembled by the Ohio Department of Health (ODH) to discuss changes to skilled nursing facility (SNF) and nursing home rules met for the second time this week. Discussion revolved around rules 3701-17-03 and 3701-17-20 through 25. Below are highlights for some of the rules discussed:

- **3701-17-03, License fee; application; issuance; revocation**
  - ODH has expressed a desire to create separate reporting requirements for facilities that “hold themselves out” as serving a special population, similar to what is in RCF rules.
  - Concerns were raised over what is considered a special population and if the goal of the reporting requirements was to inform consumers and ensure that facilities specializing in a service are actually providing a “special” service, or if it was to create better outcomes for those individuals. The issue is to be readdressed at the next meeting.
- **3701-17-25, Disaster preparedness and fire safety**
  - Because the state fire marshal does not approve a fire safety training program as in current rules, the language would be changed to match RCF rules; that the training is to be conducted by the state fire marshal or township, municipal or local legally constituted fire department. Language requiring all staff to undergo this training is to be reviewed by ODH staff and reconsidered at the next meeting. The rule may also be changed to add a “fire watch” procedure when a fire detection, fire alarm, or sprinkler system is impaired or inoperable.
- **3701-17-21, Dining and recreation rooms, utility rooms, toilet rooms**
  - Discussion mostly focused around the requirement that each room have a toilet room (including tub and shower). SNF representatives expressed concern over the increased cost of building requirements, especially in a static or decreasing reimbursement

environment, and that many of the showers go unused. ODH noted that there is a variance currently available and the group agreed to look at the variance requirements at the next meeting.

The next meeting is to be held July 21 at ODH. For more information, please contact [Chris Murray](#). ([Back to top](#)).

**Last chance for Fire Prevention class** – "Fire Prevention: Safety and Code Enforcement" classes are in Cleveland and Cincinnati next week, and these classes are your last chance to learn how to prevent your facility from being cited by code enforcement for Fire Code violations. These popular regional education classes will also review common citations and answer questions specific to your facility. Each class will feature both a Fire Safety Educator and a Code Enforcement Official from the Ohio Department of Commerce Division of State Fire Marshal. Fire Prevention: Safety & Code Enforcement will be held from 10 a.m. to 3 p.m. and will include lunch. This class has been approved for four (4) hours of CEU from BENHA. Academy members may attend this popular 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! This is great opportunity for administrators, maintenance directors and nursing staff to learn together how to make their facilities safer.

Dates and locations are:

- **Cincinnati – Tuesday, June 22**  
Kings Island Resort and Conference  
5691 Kings Island Drive  
Mason, Ohio 45011
- **Cleveland - Thursday, June 24**  
Crowne Plaza (Formerly Skyline Hotel)  
5300 Rockside Rd.  
Independence, OH 44131

Information about this course has been faxed. You can also register [online](#). For questions, contact [Dawn Kennedy](#). ([Back to top](#)).

**"Early Bird" discount countdown – only 7 days left** – Only 7 days remain for your company to save \$100 with the Academy's "Early Bird" discount on trade show booths. Make sure your "groovy" company saves on their booth for the 70s-themed 2010 OANH Annual Convention & Trade Show by securing it by June 25. The 2010 OANH Annual Convention & Trade Show will be held Oct. 20-22, 2010 (Wednesday - Friday) at the Hilton Columbus at Easton. Trade show hours will be very similar to the 2009 show.

Booth prices are as follows:

- **Regular Booth Pricing**  
Early Bird Booth Prices (Through June 25, 2010)  
OANH Member: \$875  
Non-Member: \$975  
Regular Booth Prices (After June 25, 2010)  
OANH Member: \$975  
Non-Member: \$1,075
- **Premium Booth Pricing**  
Early Bird (Through June 25, 2010): \$1,075  
Regular (After June 25, 2010): \$1,275

The 2010 Exhibitor & Sponsor Prospectus has been mailed. The prospectus and contracts for 2010 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 and Medicaid Services (CMS) recently released the following information of interest to long-term care providers:

- **Revised Medicare Therapy Fee Screen Schedule Available**  
To view the OH Medicare Therapy Fee Screen Jan-May 2010 Revised by Congress, [please click here](#). Thank you to Cindy Dunne, [ECS Billing & Consulting, Inc.](#) for providing the Academy with this information.

- **The 2010 Medicare Physician Fee Schedule**

The Continuing Extension Act of 2010, enacted on April 15, 2010, extended the zero percent (0%) update to the 2010 Medicare Physician Fee Schedule (MPFS) through May 31, 2010. At this time, Congress is debating the elimination of the negative update that took effect June 1, 2010. CMS is hopeful that Congressional action will be taken within the next several days to avert the negative

update. To avoid disruption in the delivery of health care services to beneficiaries and payment of claims for physicians, non-physician practitioners, and other providers paid under the MPFS, CMS had instructed its contractors on May 27 to hold claims for services paid under the MPFS for the first 10 business days of June (i.e., through June 14, 2010). This hold only affects MPFS claims with dates of service of June 1, 2010, and later. Given the possibility of Congressional action in the very near future, CMS is now directing its contractors to continue holding June 1 and later claims through Thursday, June 17, lifting the hold on Friday, June 18. This action will facilitate accurate claims processing at the outset and minimize the need for claims reprocessing if Congressional action changes the negative update. It also should minimize the provider and beneficiary burdens and costs associated with reprocessing claims. CMS recognizes that the delayed processing of Medicare claims may present cash flow problems for some Medicare providers. However, we expect that the delay, if any, beyond the normal processing period will be only a few days.

- **MDS 3.0 Updates**

Under the [Downloads section](#) on the MDS 3.0 Training Materials page the following revised training materials are now available as of June 16 (please check the site for the most current updates):

- **MDS 3.0 RAI Manual V1.02 June 15, 2010 - Note:** This update includes the following revised Chapter 3 Sections of the RAI manual: G and Q. This file now contains revised versions of the following sections of the RAI Manual: Chapter 3, Sections: B, D, E, F, G, H, I, J, K, L, N, P, Q, X and Z.
- **MDS 3.0 Training Slides V1.00 June 15, 2010** - This update includes the following revised Chapter 3 Sections of the MDS 3.0 Training Slides: G and J. This file now contains revised versions of the following sections of the MDS 3.0 Training Slides: Chapter 3, Sections: B, D, E, F, G, H, I, J, K, L, N, P, X and Z.
- **MDS 3.0 Instructor Guides V1.00 June 15, 2010** - This update includes the following revised Chapter 3 Sections of the MDS 3.0 Training Slides: G and J. This file now contains MDS 3.0 Instructor Guides to facilitate MDS 3.0 training. Chapter 3, Sections: B, D, E, F, G, H, I, J, K, L, N, P, and X.
- **VIVE - Video on Interviewing Vulnerable Elders June 14, 2010** - This Video on Interviewing Vulnerable Elders (VIVE) was funded by the Picker Institute and produced by the UCLA/JH Borun Center. DVD copies can be ordered from the Pioneer Network (Information to be available on or about June 18, 2010). The content in this video is the same that was presented at the April National Train the Trainer Conference and will be helpful for training staff using effective interviewing techniques.
- **MDS 3.0 ADL Flowchart V1.02 June 14, 2010** - An updated version of the ADL Decision Flowchart to assist with the completion of the ADL assessment with MDS 3.0.

- **Five-Star Quality Rating System/June News**

The provider previews will be available no later than Tuesday, June 15, 2010. Providers are instructed to go to the MDS State Welcome page available on the state servers where you submit MDS data and select the CASPER Reporting link located at the bottom of the page. Once in the CASPER Reporting System, click on the 'Folders' button. Then click on 'My Inbox' on the left hand side of the screen and access the Five Star Report in your 'st LTC facid' folder, where st is the two-digit postal code of the state in which your facility is located and facid is the state assigned facid of your facility. The Five-Star helpline will be available the week of June 21-25, 2010 for questions and concerns about the June data. The Nursing Home Compare website will update with June's Five-Star data on Thursday, June 24, 2010. Please visit [the website](#) for the latest Five-Star Quality Rating system information.

- **MLN Matters Article**

CMS has released [MLN Matters Article #MM6960 -- Systems Changes Necessary to Implement the Patient Protection and Affordable Care Act \(PPACA\) Section 6404 – Maximum Period for Submission of Medicare Claims Reduced to Not More Than 12 Months](#) to advise providers who submit claims to Medicare contractors that, as a result of the Affordable Care Act (ACA), claims with dates of service **on or after January 1, 2010**, received later than one calendar year beyond the date of service will be denied by Medicare.

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***The Academy Advocate will soon be in your mailbox--thank you to our***

**advertisers!** – The 2010 summer issue of *The Academy Advocate* will soon be mailed to all Academy members. Thank you to our advertisers of this summer issue: Acclaim Hospice & Palliative Care, AdCare Health Systems, CompManagement, Inc., a Sedgwick CMS Company, Cummins, Krasik & Hohl, Encore Rehabilitation Services, Geoffrey Webster—Chester Willcox & Saxbe, LLP, Griffiths Healthcare Group, Howard, Wershbaile & Co., MedLab, Salsbury & Salsbury, LPA, The Meadows Health Care Center, Walter & Haverfield, LLP, and Weltman Weinberg & Reis. Your

support enables the Academy to not only seek new goals and initiatives, but to also *help innovative long-term care professionals provide quality health care to Ohioans.* ([Back to top](#)).

**Group rating members required to attend safety training** – Recently the Academy was notified by CompManagement, a Sedgwick CMS Company, that certain members of the Ohio Bureau of Workers' Compensation (BWC) group rating plan are required to complete two hours of safety training. This requirement is part of a new rule that was effective July 1, 2009 and requires the group sponsors, with the help of the TPA partner, to notify affected members and track their compliance. In late June 2009, CompManagement mailed a letter to all affected group clients explaining the details of this new rule and provided solutions to help them complete the required safety training. Some of the training opportunities are:

- **CompManagement Safety Academy** - These safety workshops provide compliance programs to meet OSHA's core regulatory standards, while equipping attendees with tools to reduce their occupational incidents and eliminate potential physical hazards. [Click here](#) for additional information including dates, locations and registration.
- **CompManagement Online Safety Training** - Fulfill the two (2) hour safety training requirement from the convenience of your own office with online safety training. [View the extensive catalog of OSHA approved courses](#) and click on "#1. OSHA Training."
- **CompManagement Onsite Safety Training** - Schedule a customized onsite training program specific to your organization. [View a list of available topics.](#)
- **Ohio BWC** – The Ohio Bureau of Workers' Compensation has various training opportunities, including [online training](#).

CompManagement has developed a method of tracking that requires members to [visit their website](#) to report their training attendance and fax documentation proving the completion of such training. If you have any questions regarding this, please contact your CompManagement Association Account Manager. ([Back to top](#)).

**Are you short a few CEUs and due for renewal?** – Take advantage of the convenience and affordability of the Academy's online training courses that have been approved by the Board of Examiners of Nursing Home Administrators (BENHA). Administrators may use online or home study courses to fulfill up to five of their yearly 20-hour CEU requirement. Some of the classes include:

- Introduction to OSHA and the OSH Act
- Employment Law
- Managing Electronic Communication
- Customer Service
- Fire Safety
- Building Security

You may sample any class for free, with no commitment. If you would like to take the class and receive CEU credit from BENHA, the cost is \$20-\$25; however, Academy members receive a discount. Members will need to use a discount code, which is available by the logging into the OANH website. Go to [www.oanonline.org](http://www.oanonline.org) now to learn more about these courses. If you have any questions, please contact [Dawn Kennedy](#). ([Back to top](#)).