



Weekly Roundup

...Reporting the state and national long term care news

Please disseminate relevant information to the appropriate department.

- Administration Nursing Dietary Activities Social Services
 Rehabilitation Housekeeping Maintenance Laundry

Friday, February 20, 2015

ANHA NEWS

My InnerView Webinar

My InnerView will host a webinar exclusively for ANHA members to discuss results of the 2014 Customer & Workforce Satisfaction Survey. The 45 minute webinar will demonstrate how to access the survey results, explain how to read your results and offer tools to help you improve.

Webinar information:

Wednesday, February 25 at 11:00 a.m.

Dial-In: 1-800-677-2898, Access Code: 1550210

Web Login: <https://cc.readytalk.com/r/2kh4svhtmsib&eom>

Call for Nominations: Alabama's Best Practices

Will you share your Best Practice? You're invited to share your knowledge, positive ideas, creativity and communicate with other professionals as we continue to strive to meet the needs of our long-term care residents. *Attached is the 2015 Alabama's Best Practices "Call for Nominations."* We encourage each of you to look over the nomination form and submit your Best Practice. This year's Best Practices Program is scheduled for Thursday, August 27, 2015. Nominations are due April 17, 2015.

NATIONAL NEWS

CMS Releases Memos and Findings Report about MDS-Focus Survey

Late last week the Centers for Medicare and Medicaid Services (CMS) issued two memoranda:

- 1) MDS /Staffing Focused Surveys Update (with an attachment: MDS 3.0 Focused Survey Pilot Results)
- 2) Nursing Home Compare "3.0" – five Star Quality Rating System – Expanded and Strengthened

MDS/Staffing Focused Surveys Update – S&C 15-25

This memo provides additional information regarding the nationwide expansion of the MDS-focus survey and expansion to review nursing home staffing.

Key points:

- Training for surveyors will begin in early April 2015.
- Training and surveys will be rolled out in two phases with Regions and States assigned to one of two groups.
- Deficiencies identified during the surveys will result in relevant citations and enforcement actions.
- Surveys will include a review of nursing home staffing to help CMS assess how staffing levels may fluctuate throughout the year.
- Based on what was learned during the pilot, CMS revised the survey structure and processes (e.g., worksheets) to improve the usability, scalability, and effectiveness of the surveys.
- No additional training or materials will be available to providers. CMS advises providers to (a) review the information in the MDS RAI manual related to accurate completion of MDS assessments, and (b) review the guidance in Appendix PP relative to how to comply with requirements associated with the Resident Assessment.

MDS 3.0 Focused Survey Pilot Results

Abt Associates prepared the *MDS 3.0 Focused Survey Pilot Results*, which is attached to the S&C related to expansion of the MDS-focused survey. The pilot surveys were conducted in 5 nursing centers in 5 states (Minnesota, Maryland, Virginia, Pennsylvania, and Illinois): that is a total of 25 nursing centers. The primary purpose of these surveys, according to the report, was to "...evaluate adherence to MDS 3.0 reporting requirements, including the requirement to have an RN conduct or coordinate the assessments, and adherence to the required timelines for assessments." Additionally, the report states "A second goal was to evaluate the agreement between the MDS 3.0 assessments and the resident's medical record."

Key findings:

- It is important to note the report states several times the findings cannot be generalized to all nursing centers because the sample is quite small and not representative of the total number of nursing centers in the country. The report cautions how the findings from the pilot are interpreted.
- 25% of MDS 3.0 assessments reviewed for falls showed disagreement between the MDS 3.0 and the medical record.
- 18% of MDS 3.0 assessments reviewed for pressure ulcers showed disagreement between the MDS 3.0 and the medical record.
- 17% of MDS 3.0 assessments reviewed for restraints other than side rails showed disagreement between the MDS 3.0 and the medical record.
- 15% of MDS 3.0 assessments reviewed for late loss ADLS (including bed mobility, toileting, transfer, and eating) showed disagreement between the MDS 3.0 and the medical record.

Nursing Home Compare "3.0" – Five Star Quality Rating system – Expanded and Strengthened – S&C 15-26

This memo summarizes the changes to the Five Star Rating System. The information in the memo is very similar to the material shared by Thomas Hamilton on the SNF Open Door Forum held on February 12, 2015. According to the summary in the memo:

February 20, 2015: Improvements to Nursing Home Compare include:

- Including Quality Measures (QMs) for nursing homes' use of antipsychotic medication in residents without diagnoses of schizophrenia, Huntington's disease, or Tourette syndrome in the *Five Star* calculations. One measure is for the new use of these medications in short-stay residents. A second measure reflects continued use of such medications in long-stay nursing home residents.
- Raising the threshold for nursing homes to achieve a high rating on all measures publicly reported in the QM dimension on the website.
- Updating expectations for State Survey Agencies to conduct specialized, onsite surveys of a sample of nursing homes across the U.S. that assess adequacy of resident assessments and the accuracy of information reported to CMS that is used in calculating quality measures used in the rating system.

A copy of these materials is attached.

CMS Five Star Update

The American Health Care Association (AHCA) has held multiple webinars regarding the changes coming to Five Star. Please that AHCA has materials posted on their website at www.ahcancal.org/FiveStar.

Materials include: Template letters, webinar presentations, and instructions for accessing Five Star reports. You are asked to continue checking back for new materials, including talking points and additional data as it becomes available.

CMS Announces Changes to RAI

The Centers for Medicare and Medicaid Services (CMS) announced changes to the Resident Assessment Instrument (RAI) regarding the **coding of entry and reentry** on the MDS 3.0. The announcement was released during a Skilled Nursing Facility Open Door Forum conference call late last week.

The changes can be found on the MDS RAI manual website at: <http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/MDS30RAIManual.html>.

The file labeled MDS3.0 RAI Manual v1.12 R. Errata contains revisions to pages in Chapter 2 and Chapter 3, Section A of the MDS 3.0 RAI Manual v1.12R that clarify the meaning of entry/reentry and the coding for MDS items A1600, A1700, A1800, and A1900.

Changed manual pages are marked with the footer "October 2014 (R)" or "October 2014 (R2)" if the page was previously revised.

Providers who download and print the full MDS 3.0 RAI Manual (v1.12R) will need to download and print the errata document. The errata document begins with a table that lists the identified revisions and the pages to which they have been applied. Following the table are the actual corrected replacement pages for insertion into the printed manual.

CMS Resumes Part B Therapy Manual Medical Review (MMR) Program

The Centers for Medicare and Medicare Services (CMS) sent a notice and a FAQ document to organizations representing providers that they were resuming the Medicare Part B therapy manual medical review (MMR) program immediately (attached). As you may recall, the MMR program was implemented by CMS in October 2012 as part of a previous extension of the therapy caps exceptions process. Under MMR, Medicare recovery audit contractors (RACs) are to review Part B therapy claims over a \$3700 threshold per beneficiary per year. Due to problems in the MMR process and delays in issuing new RAC contracts, the therapy MMR program was put on a 'pause' at the end of February 2014.

Below is a summary of the key elements of the MMR resumption that AHCA members and their clinical and billing staff should be aware of and prepare for:

1. Starting immediately, RACs may resume part B therapy MMR for all MMR eligible claims over the \$3700 threshold for claims paid between March 1, 2014 and December 31, 2014.
2. The reviews will be post-pay review only in all states for the 2014 claim reviews.
3. Claims will be reviewed in chronological order so that, for example, claims paid in March 2014 will be reviewed before claims paid in April 2014.
4. There will be 5 waves of reviews conducted to address all 2014 MMR reviews which AHCA estimates will be conducted from February through August 2015. Providers with therapy MMR eligible claims should expect to receive therapy MMR additional development requests (ADRs) approximately every 45 days as follows:
 - a. Phase 1 – One claim review request will be issued in the ADR.
 - b. Phase 2 – Up to 10 percent of the total MMR eligible claims for 3/14-12/14 will be included in the ADR.
 - c. Phase 3 – Up to 25 percent of the remaining MMR eligible claims for 3/14-12/14.
 - d. Phase 4 – Up to 50 percent of the remaining MMR eligible claims for 3/14-12/14.
 - e. Phase 5 – Up to 100 percent of the remaining MMR eligible claims for 3/14-12/14

CMS notes that this current resumption only applies to facility-based providers, including skilled nursing facilities. In addition, CMS has not identified a process yet for how they intend to conduct reviews for 2015 MMR eligible claims. While CMS state they do not plan to post additional information regarding these reviews, AHCA will continue to seek further clarification. *Please see the attachment for more information.*

Reminder: Post OSHA Illness & Injury Forms on February 1 - April 30, 2015

February 1 is the deadline for employers to post the Summary of Occupational Safety & Health Administration (OSHA) Occupational Work-Related Injuries and Illnesses Summary Form 300A, which must remain posted until April 30, 2015. The injuries and illnesses being reported are for calendar year 2014.

Work-related injuries and illnesses that must be reported are those that occur in a work environment and results in one of the following conditions: a loss of consciousness, sick days, medical treatment beyond first aid, restricted work activities, a job transfer, and death. Other conditions that must be recorded are needle stick injuries or cuts from sharp objects as well as sprain and strain injuries to muscles joints and connective tissue according to the OSHA Form

300. For a complete list of injuries and illness that need to be recorded, go to <https://www.osha.gov/recordkeeping/RKforms.html>. There are forms that can be completed by printing a blank form or forms can be filled out online.

An employer must keep the OSHA's log and summary for five years after the reported year. For example, 2013 must be retained through 2018.

STATE NEWS

11th Scope of Work

ANHA has been notified by the Alabama Department of Public Health that surveyors will begin asking an additional question during the entrance conference.

The question is, "Are you participating in AQAF's 11th Scope of Work (SOW)?" If the answer is "no", the surveyors will be providing AQAF business cards and the letter from Thomas Hamilton that went to every nursing home about the 11th SOW. *A copy of the letter is attached.*

SAVE THE DATE: ANHA EDUCATIONAL SEMINAR

"Thriving in Today's Long Term Care World: Managing Labor Relations, Legal Pitfalls, Post Payment Audits, and Drug Diversion" Educational Seminar: April 20

Please mark your calendars for April 20, 2015, as ANHA will present a seminar entitled "Thriving in Today's Long Term Care World: Managing Labor Relations, Legal Pitfalls, Post Payment Audits, and Drug Diversion." This seminar will be held at The Hyatt Regency - Wynfrey Hotel in Birmingham. *More information regarding this seminar will be forthcoming.*

"ICD-10- CM Boot Camp for Long Term Care Providers" Educational Seminar June 25 and 26

Please mark your calendars for June 25 and 26, 2015, as ANHA will present a seminar entitled "ICD-10- CM Boot Camp for Long Term Care Providers." This seminar will be held at The Embassy Suites Hotel in Montgomery. This seminar is co-sponsored by Gericare Medical Supply and Senior Care Pharmacy. *More information regarding this seminar will be forthcoming.*

OTHER NEWS

Nurse Aide Abuse Registry

Please note that the following individuals have been placed on the Alabama Nurse Aide Abuse and/or Sanction Registry. These individuals are prohibited from working in any long-term care facility. To check nurse aides, you can use the nurse aide web site at www.adph.org (Click on Contents A-Z - located in the dark blue at the top of the screen - then Click on Nurse Aide

Registry - then Click in the white box and type in the Social Security Number of the person you are trying to find. Be sure and include the dashes in the SSN.)

<u>Name</u>	<u>Effective Date</u>
Ashley Stabler	2/9/15
Brittany Brown	2/9/15

Upcoming AHCA Webinars on ACA

AHCA has two upcoming Affordable Care Act (ACA) webinars in March that you might find of interest listed below. You can register for the webinars by clicking on the webinar titles highlighted in yellow.

Affordable Care Act: Clearing up the Confusion for Employers in 2015!

<http://webinars.ahcancal.org/session.php?id=15445>

March 5, 2015, at 1:00 p.m. CST (60 minutes)

Most businesses are still confused about the Affordable Care Act (ACA) employer shared-responsibility provisions that went into effect for many employers on January 1, 2015. This webinar will address your pressing questions relating to the ACA employer requirements. During this presentation, you will hear from a nationally-recognized expert on ACA employer issues, Janemarie Mulvey, PhD. Dr. Mulvey, who recently authored Health Reform: What Small Businesses Need to Know Now!, is the former Chief Economist of the Small Business Administration's Office of Advocacy and worked as senior economist for Congress during the enactment and implementation of the ACA.

Learning Objectives:

- Learn the proper methodology to determine provider size (based on FTEs) and full-time status for potential penalty calculations.
- Understand how small providers obtain certification to receive temporary relief from potential penalties in 2015.
- Review new IRS reporting requirements due in early 2016.
- Understand if your employee health plan is affordable and adequate.
- Learn how to calculate potential penalties when the provider owns multiple facilities (eg controlled groups).
- Discuss the implications of the new Republican majority in Congress and upcoming Supreme Court case?



This webinar will address these areas and provide easy-to-understand guidance for employers to follow.

About the Presenter: Janemarie Mulvey, PhD

Janemarie Mulvey, is an economist and award-winning author with over 25 years of experience in the analysis of health and long-term care financing and tax issues. Recently serving as a senior health economist at the Congressional Research Service when the Affordable Care Act was enacted and later implemented, Dr. Mulvey advised Congress on key issues of the law, as well as nuances and complexities relating to implementation. She also served as Chief Economist for the

Small Business Administration's Office of Advocacy. She recently authored a small business guide entitled: [Health Reform: What Small Businesses Need to Know Now!](#)

What Employers Need to Know Regarding ACA Reporting and Tax Requirements

(<http://webinars.ahcancal.org/session.php?id=15482>)

March 25, 2015 at 1:00 PM EDT (60 minutes)

The Affordable Care Act (ACA) contains a number of provisions affecting taxes, fees, and additional reporting requirements. Most of these provisions apply to all types of entities including long term and post-acute care providers. As an employer, it has been increasingly difficult to monitor and comply with all ACA provisions. Rick Krueger of CliftonLarsonAllen will provide an overview of key provisions affecting employers and explain key action items required to comply with the law.

Learning Objectives:

- Review and gain an understanding of key changes to tax law affecting employers and employees.
- Discuss key changes in arrangements to reimburse employees for health insurance.
- Review employer reporting requirements and deadlines.
- Discuss other changes affecting fees and premiums under the ACA.

Speaker:

Rick Krueger, CPA, Manager – Health Care, Clifton Larson Allen LLP

Recorded Webinar Link Now Available: Update on VA Contracts and \$10.10 Issue with DOL and VA Officials

On Thursday, January 15, 2015, the American Health Care Association (AHCA) held a webinar for its members that provided information from officials from the U.S. Department of Veterans Affairs (VA) and the U.S. Department of Labor (DOL) relating to the \$10.10 wage issue and VA contracts. The link for the recorded webinar is now posted, and can be found at http://www.ahcancal.org/information_for/veterans/Pages/Webinars.aspx for AHCA members.

CALENDAR OF EVENTS

<u><i>Date</i></u>	<u><i>Event</i></u>	<u><i>Location</i></u>	<u><i>Time</i></u>
February 26	ANHA Region IV Meeting RSVP: Pam Penland 205-594-5148 Speaker Topic: Fall Prevention	Western Sizzlin Oxford	1:00 p.m.
February 27	ANHA Region I Meeting RSVP: Brian Scheri 256-740-5400, bscheri@mhnrc.com	Ricatoni's Florence	12:000 p.m.

March 2	ANHA Education/Convention Committees Meeting	ANHA Offices Montgomery	10:00 a.m.
March 4	ANHA Region VI Act/SS Auxiliary Meeting RSVP: Shonda Young 256-329-0868 Lunch will be provided, Guest Speaker	Bill Nichols SVH Alexander City	11:15 a.m.
March 6	ANHA Region II Meeting RSVP: Jim Walker 256-927-7408, jimwalker@earthlink.net	Catfish Cabin Albertville	12:00 p.m.
March 13	ANHA Region VI Meeting RSVP: Jennifer Agee 205-391-3600, jennifer.agee@northporthealth.com Lunch will be provided	ANHA Office Montgomery	11:30 a.m.
March 20	ANHA Region III Meeting RSVP: Kevin Ball 205-788-6330, kball@ballhealth.com	Howard State VA Home Pell City	1:00 p.m.

Alabama Nursing Home Association

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Links:

Alabama Nursing Home Association <http://www.anha.org>

AL Board of Examiners of Nursing Home Administrators <http://www.alboenha.state.al.us>

AL Dept. of Public Health <http://www.adph.org>

CMS <http://cms.gov>