



# 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, January 11, 2013

## ANHA NEWS

### Second Extension for Medicaid Recovery Audit Contractor (RAC) Audits

Last month a number of our members received requests from our Alabama Medicaid Agency's Recovery Audit Contractor (RAC), Health Management Systems (HMS), requesting records related to Medicaid beneficiaries. Some letters were for financial information and others were for clinical information. Some facilities received both letter requests. These audits are mandated by federal law.

After becoming aware that several of our members received audit letters, your Association leadership met with Dr. Don Williamson, Acting Commissioner Stephanie Azar and other Medicaid key leadership staff in order to seek additional time for facilities to comply with the RAC record requests. Medicaid agreed to permit a two week extension, if requested by the facility.

This morning, Association leadership again met with Medicaid and pointed out that confusion still remains about the record requests, that we still needed additional time to comply because gathering the information requested by HMS is so time consuming, and that member training needed to be conducted to ensure accuracy in complying with the record request.

As a result of our meeting today, Medicaid has agreed to:

1. Grant a blanket extension to **February 14, 2013**, for any facilities that need additional time and clarification to comply with the record request.
2. Set up a webinar tentatively scheduled during the week of January 21<sup>st</sup> to both explain the process and to allow providers to ask questions. *We will communicate details regarding the webinar as soon as the date and time are confirmed.*

Meanwhile, we are working with Medicaid and HMS to develop the webinar outline. Please send us any questions you may have so that we can ensure that they are covered during the webinar. Questions may be submitted via e-mail to Katrina Magdon at [kmagdon@anha.org](mailto:kmagdon@anha.org).

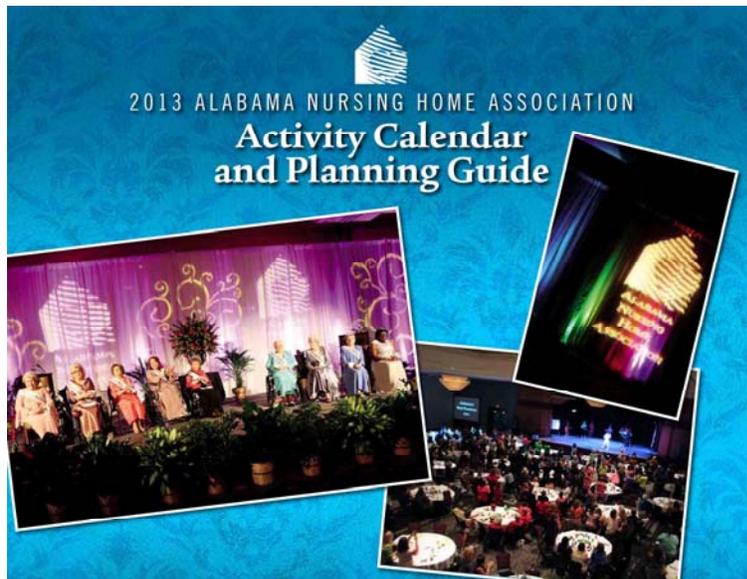
We also received clarification that HMS will conduct all financial audits for facilities chosen for a RAC audit. Goold Health Systems will conduct all clinical audits for those facilities chosen for a RAC audit after January 1, 2013. It may be possible for a facility to be under both a clinical and a financial RAC audit and that the RAC auditor may be different depending upon the type – clinical or financial. As a reminder, according to federal regulation the RAC entity must not

review claims that are older than 3 years from the date of the claim, unless it receives approval from the State.

Providers are reminded that the Alabama Administrative Code and their Provider Agreements require compliance with requests for medical records for Medicaid program audits.

We will continue to apprise you of information and other details regarding these audits as they become available. *Attached is a copy of Q & A's from CMS regarding Medicaid RAC Audits.*

## 2013 ANHA Activity Calendar and Planning Guide



Copies of the 2013 ANHA Activity Calendar and Planning Guide were mailed to all administrators, activity directors, owners and associate members last week. The calendar is full of useful information related to nursing homes and contains the dates of major ANHA events. A limited number of calendars are available for purchase for only \$10.00 each. *Please see the attached calendar order form for more details.*

## NATIONAL NEWS

### National Provider Call on January 31: CMS National Partnership to Improve Dementia Care

The Centers for Medicare & Medicaid Services (CMS) has developed a national partnership to improve the quality of care provided to individuals with dementia living in nursing care centers. This partnership is focused on delivering health care that is person centered, comprehensive and interdisciplinary.

By improving dementia care through the use of individualized, person-centered care approaches, CMS hopes to reduce the use of unnecessary antipsychotic medications in nursing facilities and eventually other care settings as well. The partnership promotes a systematic process to evaluate each person and identify approaches that are most likely to benefit that individual. While antipsychotic medications are the initial focus of the partnership, CMS recognizes that attention to other potentially harmful medications is also an important part of this initiative.

During this National Provider Call on January 31, 2013, from 12:30 p.m. – 2:00 p.m. CT, CMS subject matter experts will discuss the mission of the national partnership, its goals, quality measures, and ongoing outreach efforts. A question and answer session will follow the presentation.

For more information and to register for the call please visit  
<http://www.eventsvc.com/blhtechnologies/register/55c99492-6921-4f8b-83a0-8748c499824b>.

### **New Quality Initiative Toolkits Available!**

To help facilities achieve quality initiative goals, the American Health Care Association (AHCA) has posted two new toolkits on the Quality Initiative Resource website  
([http://www.ahcancal.org/quality\\_improvement/qualityinitiative/Pages/ResourcesByGoal.aspx](http://www.ahcancal.org/quality_improvement/qualityinitiative/Pages/ResourcesByGoal.aspx)).

The first toolkit is the **Clinical Considerations of Antipsychotic Management**. The toolkit is designed as a framework containing seven critical steps needed to clinically manage antipsychotic medication use at the resident and facility level. The framework offers care objectives, expectations and tools and resources needed at each step.

The second toolkit pertains to the **4 Key Strategies to Retain New Hires and Reduce Turnover**. This resource offers person-centered strategies to reduce employee turnover. Leadership direction and tools are provided to help supervisors successfully interview, hire, monitor/evaluate/mentor, and retain staff. The toolkit includes a calculator to determine costs associated with turnover.

### **Post OSHA Injury and Illness Forms By February 1**

Nursing homes are required to post the Occupational Safety and Health Administration – OSHA Form 300A by February 1. The form should be posted in a public area where employees can view it. The report must remain posted through April, 30, 2013. To obtain instructions and forms, visit [www.osha.gov/recordkeeping/RKforms.html](http://www.osha.gov/recordkeeping/RKforms.html).

### **DEA to Propose Rule on Disposal of Controlled Substances**

On December 21, 2012, the Drug Enforcement Administration (DEA) released a proposed rule on the disposal of controlled substances at long term care facilities. According to Lyn Batson, Director of Policy and Advocacy at the American Society of Consultant Pharmacists (ASCP), the proposed rule identifies only one mechanism of disposal and that is via the long term care pharmacy, if the pharmacy is a DEA registrant, who voluntarily installs an authorized disposal receptacle within the facility. Alternatively, a resident may opt to use mail-back or take-back programs on their own. If a patient dies and there is no authorized disposal receptacle, the decedent's family must take care of disposal. If there is no authorized receptacle in the long term care facility, there is no disposal mechanism for controlled substance at the facility.

The DEA is authorizing certain registrant categories to be collectors of controlled substances so that the agency can ensure sufficient physical security controls are in place, thereby minimizing the risk of diversion. DEA registrants are subject to controls related to their DEA registration. DEA believes the pre-existing registrant controls will protect against the diversion of controlled substances.

Comments on the proposed rule are due on or before February 19, 2013. The American Health Care Association will work with ASCP in analyzing the rule and the impact on long term care facilities. *A copy of the proposed rule is attached.*

# STATE NEWS

## **Medicaid Eligibility Applications**

ANHA has been diligently working with Medicaid leadership regarding the delays in having Medicaid eligibility applications approved. We have been meeting and communicating with Medicaid on this issue and have gotten some reassurances that we should see some relief coming soon. Medicaid is working to hire additional case workers in the district offices to help with the backlog of applications. In addition, Medicaid has asked managers of the 11 district offices to contact nursing home business staff and visit them to review any issues, provide helpful information, establish good contact information and try to overcome any problems they are having in our relationships with our nursing homes. We are encouraged by these actions and strongly urge you to be patient and cooperative with the District Offices. We are hopeful that the meetings between your facilities are beneficial to all parties.

## **Opelika Medicaid District Office Update**

The Opelika Medicaid District office phones and computers are now operational. The new office number is (334) 741-5800. The toll free number is 1-866-371-4072. The new address is 2015 Gateway Dr., Opelika, AL 36801-6836. They are still unpacking boxes and arranging their offices. They will be able to see recipients on Monday, January 14.

## **Five Day Reports Related To Allegations of Abuse, Neglect Misappropriation of Resident Property or Suspicious Injury of Unknown Injury Must Be Faxed to the Alabama Department of Public Health**

*Editor's Note: This article was provided by the Alabama Dept. of Public Health's Division of Health Care Facilities.*

As you know, when a nursing facility completes an investigation related to an allegation of abuse, neglect, misappropriation of resident property or suspicious injury of unknown origin, the complete investigative file including your conclusion must be sent to the Alabama Department of Public Health (ADPH) within five working days. ADPH has established a fax number that nursing facilities MUST use to fax those documents. The fax number is (334) 206-0355. The information faxed is sent to a confidential email account via the secure web portal. Faxing the information is necessary to allow Department staff to track the receipt and to match the investigative file to the 24 hour report. Although it is not necessary, the facility may, in addition to faxing the information, also hand deliver or send the information to ADPH by another means. A facility staff member must call ADPH immediately if the facility is temporarily unable to fax the information.

## **Payment Error Rate Measurement (PERM) - Results for FY 2010 and Announcement of FY 2013 PERM Review**

The PERM program measures improper payments in Medicaid and the State Children's Health Insurance Program (SCHIP) and produces state and national-level error rates for each program. The Centers for Medicare and Medicaid Services (CMS) developed PERM to comply with the Improper Payments Information ACT (IPIA) of 2002. Results are in for the FY 2010 PERM review. The top three reasons for Medicaid FFS Medical Review errors in terms of projected dollars in error are: policy violation, insufficient documentation, and no documentation. These

errors account for over 83% of Alabama's Medical Review errors. Other errors include number of units, policy violation, pricing errors, and non-covered service. Alabama's overall error rate is 1.5% for the fee-for-service component.

The measurement for the FY 2013 cycle began October 1, 2012. Once the medical record review process begins, it is very important for providers to comply with the requests and submit documentation in a timely manner. Providers should ensure records are complete (i.e. physician signatures, correct dates, treatments plans, progress notes, etc.).

CMS uses contractors to conduct both the data processing (DP) reviews and the medical records (MR) reviews. For FY 2010, CMS used Livanta, LLC as the statistical contractor and APlus Government Solutions for the DP and MR reviews. Questions and more information can be obtained from Medicaid by contacting Patricia Jones at (334) 242-5609 or Jacqueline Thomas at (334) 242-5318.

## **Phase II: QAPI Ready?**

The Alabama Quality Assurance Foundation (AQAF) invites all nursing homes to participate in the National Nursing Home Quality Care Collaborative which is Phase II of its three year quality improvement contract. At the end of Phase II on July 31, 2014, the goal is to have facilities in sustainability mode.

Phase II participants will receive training to support the development of a fully functioning Quality Assurance and Performance Improvement Program (QAPI). Implementation of QAPI is mandated by the Affordable Care Act. QAPI is a foundational change that strives to improve practices around systems that support quality. This foundational change will re-define the way nursing homes deliver quality care and receive reimbursement based on the delivery of quality care. The collaborative takes a proactive approach to eliminating or reducing preventable healthcare acquired conditions. Participants will be offered an opportunity to learn from high performing nursing homes and work collaboratively with other nursing home staff to improve practices around systems that support quality. Additionally, the collaborative aligns national nursing home quality initiatives and partnerships such as the Advancing Excellence in America's Nursing Homes Campaign and The Partnership to Improve Dementia Care.

AQAF is in the final phase of our recruitment process. For more information and to obtain a participation agreement please contact Beth Greene at [bgreene@alqio.sdps.org](mailto:bgreene@alqio.sdps.org) or (205) 970-1600 ext. 3511.

## **Alabama Board of Nursing: Note to Chief Nursing Officers, Deans/Program Directors of Nursing Programs and School Nurses**

It is that time of year again for the Board of Nursing's Annual Report of Employing Agencies. Use this link to find the Word Document and the Access Database.

<http://www.abn.alabama.gov/Content.aspx?id=178>

You can also find it at [www.abn.alabama.gov](http://www.abn.alabama.gov), under "Employer Information."

If your organization is a subscriber to the Board's Online License Verification System, you do not have to complete the Annual Report of Employing Agencies. If your organization does not

subscribe, please submit your list of licensed nurses to Andy Stewart, [Andy.Stewart@abn.alabama.gov](mailto:Andy.Stewart@abn.alabama.gov) no later than January 31, 2013.

## OTHER NEWS

### **January 31: Deadline for Applications for AHCA Bronze Quality Award**

The deadlines for the American Health Care Association's (AHCA) [National Quality Award program](#) are just around the corner. January 31 is the deadline for applications for the Bronze Quality Award, and Silver and Gold applications are due February 28, 2013.

AHCA has a great set of tools and resources for applicants. On the [Applicant Resource page](#), members can find links to all of the application materials and key resources, such as the program criteria, webinars, viewing guides, frequently asked questions, and more. Quality Award-specific questions can be directed to [quality-award@ahca.org](mailto:quality-award@ahca.org).

### **Today: Deadline to Register for 2013 AHCA Quality Symposium**

Registration is now open for the AHCA Quality Symposium. Celebrating its 5<sup>th</sup> year, the symposium will take place February 11-13, in San Antonio, Texas. The Quality Symposium will provide attendees with practical, real-world ideas and solutions to take back to their work environments. Administrators, corporate staff, directors of nursing, quality managers, and anyone with an interest in examining and improving their processes to achieve excellence across the operational and care spectrums will find value in this unique educational and networking event.

Don't miss this three-day event and the potential to earn 14.25 CEUs! For more information please visit <http://www.ahcancal.org/events/qualitysymposium/Pages/default.aspx>.

### **Upcoming AHCA Webinar: OSHA and LTC Providers**

Date: February 19, 2013 from 1:00 p.m. to 2:00 p.m. CT

Title: OSHA and Long Term Care Providers: What to Expect and Prepare for in President Obama's Second Term

Speakers: Bradford Hammock, Attorney at Law, JacksonLewis, LLP

Registration Link: <http://webinars.ahcancal.org/session.php?id=10181>

Over the last four years, the Occupational Safety and Health Administration has been very active particularly in the enforcement arena. By virtually every metric, OSHA enforcement is at historic levels. Long term care providers have been a major focus of the agency's enforcement efforts, with OSHA's Nursing Home National Emphasis Program leading OSHA compliance officers into facilities across the country. As we enter the second four years of OSHA under President Obama, what should the long term care industry expect? Will OSHA continue to target the industry in its enforcement efforts? What new regulatory and other policy initiatives should long term care employers prepare for? This webinar will review the last four years and look ahead to the next four, with a specific focus on the long term care industry and how Association members can prepare for what's next at OSHA.

Learning Objectives:

- Understand what OSHA activities impacting long term care providers have occurred during the past four years.
- Learn what OSHA activities impacting long term care providers can be expected during the next four years.
- Understand how the OSHA Nursing Home National Emphasis Program has impacted and will continue to impact nursing centers.

**Registration Open for AHCA Independent Owner Leadership Conference**

Don't miss this unique opportunity to meet and discuss all the issues that concern you with the people who understand exactly what you deal with on a day-to-day basis. The American Health Care Association's Independent Owner Leadership Conference will be held March 13-15, 2013, at the Westin Beach Resort & Spa in Fort Lauderdale, FL.

This year, the focus of the Independent Owner (IO) Leadership Conference is on Electronic Health Records (EHR). You'll hear from IOs who have already implemented EHRs. Learn how they did it, what challenges they faced, how much it costs, and why it was useful. You'll have opportunities to ask questions and find out everything you need to know to get started on the process at your facilities. We'll also tie in the use of EHRs with the AHCA Quality Initiative and show you how technology can help you meet the challenges you face and raise the quality of care you provide.

The IO Leadership Conference is for not for profit operators and for profit owners of ten or fewer facilities providing skilled nursing, assisted living, and developmental disability services. Attendees can earn up to 13 CEUs. Registration and attendance for companies and individuals who sell or market products and/or services to provider organizations is limited to sponsors only. AHCA reserves the right to grant final approval for all registrants to attend this conference. Register early and save \$75! The advanced registration deadline is February 15, 2013. For more information or to register online, visit [www.io.ahcancal.org](http://www.io.ahcancal.org)

**CALENDAR OF EVENTS**

<u>Date</u>	<u>Event</u>	<u>Location</u>	<u>Time</u>
January 11	ANHA Region III Act/SS Auxiliary Meeting & Election RSVP: Endya Gibbs (205) 796-0214 <a href="mailto:egibbs@ballhealth.com">egibbs@ballhealth.com</a>	Cherry Hill Rehab Birmingham	12:30 p.m.
January 16	Convention/Education Committees Meeting	ANHA Office Montgomery	10:00 a.m.
January 17	ANHA Executive Board Meeting	ANHA Office Montgomery	10:00 a.m.

January 18	ANHA Region V Act/SS Auxiliary Meeting RSVP: Charlotte Johnson (334) 682-4231	Mr. G's Restaurant Demopolis	12:00 p.m.
January 23	ANHA Region II Act/SS Auxiliary Meeting Speaker Topic: Dementia Training RSVP: Mary Anne Parsons (256) 599-4895	Catfish Cabin Albertville	11:00 a.m.
January 24	Associate Member Committee Meeting	ANHA Office Montgomery	10:00 a.m.
January 24	Bylaws Committee Meeting	ANHA Office Montgomery	1:00 p.m.

Alabama Nursing Home Association

4156 Carmichael Road ♦ Montgomery, AL 36106 ♦ PH: (334) 271-6214 ♦ FAX: (334) 244-6509

**WEB SITES:**

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>