



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, July 26, 2013

ANHA NEWS

Enterprise Health & Rehab Center Resident Crowned Ms. Alabama Nursing Home 2013



Verdell Goodson, a resident of Enterprise Health & Rehab Center in Enterprise, was crowned Ms. Alabama Nursing Home! Ms. Goodson, age 79, has participated in the Coffee County Relay for Life, is a member of the resident council and plans to start a welcoming committee. She and her husband, B.J., have been married for 63 years and both live at Enterprise Health and Rehab Center.

As Ms. Alabama Nursing Home, Ms. Goodson will travel to various nursing homes and community events to share her experiences. During her reign, she will also serve as an ambassador for nursing home residents at several Alabama Nursing Home Association events.

The runners-up are:

- 1st Runner-up: Elaine Blankenship, Ms. Woodland Village Health Care, Cullman, Age 79
2nd Runner-up: Jane Lucas, Ms. Andalusia Manor, Andalusia, Age 64
3rd Runner up: Martha Grant, Ms. Talladega Health and Rehab, Talladega, Age 78
4th Runner up: Ruth Elaine Alexander, Ms. Florence Nursing & Rehab Center, Florence, Age 87

Congratulations to Ms. Goodson and all of the 70 ladies who competed in the 2013 Ms. Alabama Nursing Home Pageant!

Ms. Alabama Nursing Home in the News: Click on the links below to view articles, videos and pictures from the pageant. Feel free to share these on social media.

- [Article with video and photos from AL.com](#)
- [Video of Ms. Goodson at the Pageant from CBS 42:](#)
- [In depth interview with Ms. Goodson from WTVY 4](#)

Registration Open for Alabama's Best Practices

Registration is open for the Alabama's Best Practices Program on August 29, 2013, at the Cahaba Grand Conference Center in Birmingham. The event has been approved for six (6) hours of continuing education credit for administrators, risk managers and social workers. Approvals are pending for assisted living administrators and activity professionals. It has also been approved for 7.2 contact hours of continuing education for nurses. The Alabama Nursing Home Association is an approved provider by the Alabama Board of Nursing (ABNP0151- expires 3/12/2017). *Please see the attached flyer for more details.*

Congratulations to the following facilities that have been chosen to make presentations for the 2013 Best Practices Program:

"Serenity Suite"	Oak Park Nursing Home
"Caring Paws"	Arbor Springs Health & Rehab Center
"5-Alive"	Hanceville Nursing and Rehab Center
"Off the Chain"	Coosa Valley Nursing Home
"Young Bloods"	Athens Rehabilitation Center & Senior Care
"Weight Watchers' Happy Hour"	River City Center
"Hicks & Giggles"	Haleyville Health and Rehab
"DARE to Care Program"	South Haven Health & Rehab - Birmingham

Participants will also receive information from twelve other facilities about their Best Practices.

CNA and Employee Recognition at Alabama's Best Practices

Alabama's Best Practices will continue the tradition of recognizing Certified Nursing Assistants and other outstanding staff members for their contributions to the high quality of care our residents receive and the successful operation of our nursing homes. The deadline for submission is August 16. *Please see the attached form for additional information.* If you have questions, contact John Matson at the Association office at (334) 271-6214 or jmatson@anha.org.

"2013 Summer Regulatory Update" Educational Seminar July 30

Join ANHA as we present a full-day seminar for long-term care providers on providing a regulatory update on the following issues: Hospice Care; OSHA and Whistleblower Regulations; Medicaid Issues; and Financial Plans Needed for ACA. The seminar will be held on July 30 at the Wynfrey Hotel located in Birmingham, Alabama from 8:30 a.m. to 4:00 p.m. This program has been approved for 6 hours of continuing education credits by the Alabama Board of Examiners for Nursing Home and the Alabama Board of Social Work Examiners. It has also been approved for 7.2 contact hours of continuing education for nurses. The Alabama Nursing Home Association is an approved provider by the Alabama Board of Nursing (ABNP0151- expires 3/12/2017). *Please see the attached flyer for more details.*

Seminars for 2013 ANHA Owners' Meeting & Educational Symposium

Sponsored by:

American Medical Technologies
Associated LTC Insurance Company
Felder Services
Gericare Medical Supply
Healthcare Services Group, Inc.

AJG/Robinson-Adams Insurance
Senior Care Pharmacy
Sherlock, Smith & Adams
Starnes Davis Florie, LLP

Join ANHA for the 2013 Owners' Meeting and Educational Symposium. The event will be held August 8-10 at the Inn on Biltmore Estate in Asheville, North Carolina. The annual owners' meeting and breakfast will be held on August 10.

Overnight group rates have been negotiated with the hotel for this meeting at a rate of **\$249** per night. To make overnight reservations, please contact the hotel at 866-779-6277 and identify yourself as being part of the Alabama Nursing Home Association.

This entire event has been approved for a total of four (4) hours of continuing education credit for nursing home administrators. *Please see the attached flyer for more details.*

NATIONAL NEWS

OIG Releases Exclusion Guidance

HHS, Office of Inspector General (OIG) recently released *Updated Special Advisory Bulletin on the Effect of Exclusion from Participation in Federal Health Care Programs*, which is OIG's first published guidance on "exclusions" since 1999. By way of background, the effect of an OIG exclusion is that no federal health care program (e.g., Medicare or Medicaid) may pay for items or services: 1) furnished by an excluded person, or 2) directed or prescribed by an excluded person. The new guidance emphasizes that the payment prohibition applies to all methods of federal health care program payment, whether from itemized claims, cost reports, fee schedules, capitated payments, a prospective payment system or other bundled payment, or other payment system and applies even if the payment is made to a state agency or a person that is not excluded.

Under the federal civil monetary penalty ("CMP") rules, a provider may be liable for up to \$10,000 for each item or service furnished, directly or indirectly, by an excluded person, and up to three times the total amount claimed for such items or services. The new guidance casts the exclusion net very wide, offering examples of a number of excluded individuals with indirect relationships to providers to which the prohibition applies, including health care professionals that volunteer at hospitals or skilled nursing centers. The new guidance also provides guidance regarding best practices for screening current and potential employees and contractors for excluded status. OIG recommends searching the OIG-administered List of Excluded Individuals and Entities ("LEIE") prior to hiring or contracting with an individual or company. OIG also suggests that providers review LEIE for current contractors and employees on a monthly basis, for any job category or contractual relationship where the item or service being provided is payable by a Federal health care program. OIG also cautions against relying on other databases, such as the GSA's System for Award Management ("SAM") or the National Practitioner Database, as a provider's primary source for exclusion screening. To obtain the OIG guidance click <http://oig.hhs.gov/exclusions/files/sab-05092013.pdf>.

CMS Issues Survey & Certification Memos

The Centers for Medicare and Medicaid Services (CMS) has issued two Survey & Certification. The first relates to changes to state survey agency responsibilities in obtaining information for Civil Rights clearances for initial certifications and changes of ownership (CHOWs) <http://www.cms.gov/Medicare/Provider-Enrollment-and->

[Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-13-46.pdf](#). Key provisions of this memo:

- **Office for Civil Rights Clearance Process** – A health care provider that applies for participation in the Medicare Part A program must receive a civil rights clearance from OCR, as set forth in 42 CFR 480.10(b).
- **Initial Enrollment or CHOW**- State Survey Agencies (SAs) are to include the OCR Civil Rights Certification Information Request Packet (Civil Rights Packet) with their initial enrollment package that is sent to a potential provider or to a provider undergoing a CHOW.
- **Civil Rights Packet may be submitted on line**- SAs must now also offer the potential provider the option to answer all questions and submit the entire civil rights clearance package on line at <https://ocrportal.hhs.gov/ocr/pgportal/>.
- **Online Application Submission Start Date**- This change will be effective July 15, 2013

The second memo relates to compliance with the Life Safety Code in End Stage Renal Dialysis facilities and includes a sample attestation letter <http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-13-47.pdf>. Key provisions of the memo:

- **Limited LSC Applicability to ESRD Facilities:** Effective July 16, 2012, compliance by certified ESRD facilities with the applicable requirements of the 2000 edition of the National Fire Protection Association (NFPA) Life Safety Code 101 is limited to those ESRD facilities that are located adjacent to high hazardous occupancies and those facilities that do not exit to the outside at grade level from the patient treatment area.
- **Retained Compliance by ESRD Facilities:** All ESRD facilities are still required to comply with State and local fire codes and other safety standards required by 42 CFR Part 494 Conditions for Coverage (CfC) for ESRD facilities.
- **Attestation by ESRD Facilities for Exemption:** ESRD providers may submit an attestation to claim an exemption to the NFPA LSC requirements if they are not located adjacent to high hazard occupancies and they do provide exits at grade level from the patient treatment area level.
- **Effective Immediately.**

CMS Guidance on Medicare Demand Letters Associated with an Item or Service Provided to Incarcerated Beneficiaries

Important guidance from the Centers for Medicare and Medicaid Services (CMS) regarding Demand Letters to Medicare Providers and Suppliers Associated with an Item or Service Provided to Incarcerated Beneficiaries has been issued. A direct link to the guidance is provided below.

<http://www.cms.gov/Medicare/Medicare-Contracting/FFSProvCustSvcGen/Downloads/DemandLetters.pdf>

SNFs to Receive PEPPER Postcard

ANHA has been notified that a CMS contractor, TMF Health Quality Institute [HQI], that HQI had sent out, via regular mail, an informational postcard to all 15,000+ SNFs. The postcard indicates that all SNF providers will soon receive a report called the Program for Evaluating Payment Patterns Electronic Report (PEPPER). This report provides Medicare claims data in specific targeted areas comparing the SNF to other SNFs throughout the US. The Report will be mailed to SNFs via regular mail on August 30.

The Pepper program was initiated in 2003, but since 2003 has focused on other types of providers over the years. It is now adding SNFs. PEPPER gives provider-specific Medicare data statistics for services vulnerable to improper payments, according to the federal government, and allows providers to see how their facility compares to all other SNFs across the state, nation or MAC jurisdiction. For SNFs, the targeted areas were determined by recent OIG reports in 2010 and 2012 and conversations with CMS staff, and include: a) Therapy RUGs with High ADLs; b) Nontherapy RUGs with High ADLs; and c) Change of Therapy Assessment.

PEPPER data will be shared with both the MACs and the Medicare Recovery Auditors (RAs); but not the Zone Program Integrity Contractors (ZPICs). HQI did acknowledge, however, that CMS contractors have much more sophisticated databases and systems for looking at SNF Medicare claims data. To obtain more information on SNF PEPPER, you may visit <http://www.pepperresources.org/>.

STATE NEWS

ANHA Encourages Use of Medicaid EXPEDITE System

Members of the Alabama Nursing Home Association have been meeting regularly with Medicaid since last fall on ideas and ways in which we can improve the current Medicaid Nursing Home Eligibility process. As a result of our joint efforts, we now have an online web portal (EXPEDITE) for nursing facilities and residents/sponsors to use in order to complete the Medicaid application online and submit it electronically. Submitting a hard copy of the application is still an option.

We held 8 webinars during the month of June and a copy of Session #3 Expedite Nursing Home Training delivered Tuesday, June 4, 2013, is now available on the public Alabama Medicaid site at this address:

http://www.medicaid.alabama.gov/documents/3.0_Apply/3.5_Expedite/3.5_EXPEDITE_Web_Portal_6-13-13.wmv

For more information please visit the Medicaid website at www.medicaid.alabama.gov, click “Apply for Medicaid”, then “Expedite On Line Nursing Home Application System”. You may also try this link: http://medicaid.alabama.gov/CONTENT/3.0_Apply/3.5_Expedite.aspx. ANHA encourages you to utilize this tool and submit applications via the EXPEDITE System.

Alabama Board of Nursing: LPNs Must Have Citizenship Verified

Renewal for licensed practical nurses will begin September 1, 2013. The Alabama Board of Nursing (ABN) must have verified citizenship or the LPN will not be able to renew. As of Friday, July 12, 2013, the numbers are as follows:

- Total Active and Active Probation LPNs: 18,711
- Total Active and Active Probation LPNs Verified: 3,450
- Percentage Verified: 18.43%

While ABN has a few more to verify, it will not come close to the total that are eligible to renew. **If you have LPNs in your organization, please remind them to get their citizenship verification in ASAP.** LPNs and RNs can check to see if their citizenship has been verified by going to <https://www.abn.alabama.gov/abnonline/MyprofileLogin.aspx> and using the license number and

last 4 digits of the social security number, signing in to the profile. For citizenship purposes, this will be what the licensed nurse will see (with the information filled in) and if citizenship has been verified, it will reflect “yes” in the citizenship verified box. If the citizenship has not been verified (meaning ABN has not entered it in the licensing database), it will say “no”. However, ABN is sending hundreds back because the submitted documents are illegible or the wrong checklist was sent in or the checklist without documents. If ABN sends the information back to the licensed nurse, it should be returned to us as soon as possible so they can verify citizenship.

Changes to Medicaid Hospice Election and Physician’s Certification Form 165

Hospice providers are required to include within the medical record a Medicaid Hospice Election and Physician’s Certification form (Form 165) that has been signed and dated by the physician. The exception to this is when an individual is eligible for Medicare as well as Medicaid. In that case, the Medicare election form will continue to serve as election for both hospice programs.

Form 165 was recently revised to include blanks to enter the *Date of Benefit Period* and the *Date Physician Signed*. Effective September 1, 2013, all Hospice Providers should discard all copies of the previous Form 165 and utilize the revised form.

The revised Form 165 and the *Instructions for Completion of Hospice Election Form 165* will be located on the Agency’s website, effective September 1, 2013 and can be accessed at the following:

http://medicaid.alabama.gov/CONTENT/5.0_Resources/5.4_Forms_Library/5.4.3_LTC_Forms.a_spx, then go to the Form 165.

For questions or concerns regarding the Medicaid Hospice Program, please contact Felicha Fisher at (334) 353-5153.

Update on New Power of Attorney (POA) Law

Governor Robert Bentley signed the “Protecting Alabama’s Elders Act” into law in May 2013. This act makes misuse of the POA a felony. As with most new laws, there is a waiting period for the effective date. The effective date for this new law is September 1, 2013. While we will have more guidance for you nearer to the effective date, we think it is important to let you know that the September 1, 2013, effective date will be an important date for you to remember. This is because the law applies only to POA’s who misuse an individual’s funds/property AFTER September 1, 2013. Those who have used funds or transferred properties inappropriately prior to September 1, 2013, will fall under the old laws which require that the individual actually file a lawsuit in Circuit Court to attempt to have resources returned or to gain financial compensation for assets which were misused by the POA. It is also important to note that this law does not change the existing Adult Protective Services laws and there will continue to be the need to contact DHR for assistance in all appropriate cases. *Editor’s Note: This article was provided by ANHA Associate Member Healthcare Compensation Solutions.*

Graduate Scholarships

The Alabama legislature appropriated \$166,027 for graduate scholarships administered by the Board of Nursing. The application and instructions are posted on their website, www.abn.alabama.gov, under Nursing Programs and then Graduate Scholarships. The deadline for application is July 31, 2013.

FACILITY NEWS

ANHA Expresses Sympathy

ANHA would like to express sympathy to the family of J.D. Morgan. Mr. Morgan was the father of Pam Penland, owner of Health Care, Inc. Memorials may be made to: Louis E Cottrell Jr. Foundation for Excellence in Long Term Care (ANHA Foundation), 4156 Carmichael Road, Montgomery, AL 36106.

ANHA Expresses Sympathy

ANHA would like to express sympathy to the family of Elaine Junkin. Mrs. Junkin was the mother Lance Junkin and Stan Junkin, owners of Sunset Manor in Guin. Memorials may be made to: The Gideons International, Marion County Camp, P.O. Box 383, Guin, AL 35563; or to Oasisiah, P.O. Box 547, Guin, AL 35563.

OTHER NEWS

Important information about AHCA Quality Award Program

The AHCA National Quality Award program is introducing a new recertification policy effective for the 2014 award cycle that impacts all current and previous AHCA National Quality award recipients. Under this policy, Bronze and Silver Quality Award recipients will have a limited amount of time to apply for the next award level (Silver or Gold) before being designated as a “past recipient” of the award, a status that requires the facility to reapply at the Bronze level if it decides to participate in the program again.

Currently, award recipients are not limited to the number of years they can promote their center as a Quality Award recipient. Centers are responsible for reading and complying with the recertification policy, which is available in full on the [AHCA/NCAL National Quality Award website](#).

Please contact quality-award@ahca.org with questions about the new policy, a center’s current status, or general questions about the National Quality Award program.

Upcoming AHCA Webinars

Webinar: Implementing the Affordable Care Act: Countdown for Understanding Employer Requirements

Date & Time: Tuesday, August 6, 2013, 1:00 p.m.–2:00 p.m.

Speakers: Nancy Taylor, Attorney, Greenberg Traurig

Registration Link: <http://webinars.ahcancal.org/session.php?id=11155>

Session Description: Beginning in 2014 employers with 50 or more full-time or “full-time equivalent” employees during the previous calendar year must offer minimum essential health care coverage or pay a penalty. However, simply offering coverage to employees may not be enough to comply with the law.

Learning Objectives:

- What kind of coverage do you need to offer to your employees?
- Does your plan measure up to the minimum value requirements?
- Is your health care plan affordable, according to the ACA employer–mandated definition? What types of plans can continue into 2014?
- What can a self-insured group do with wellness incentives?

Save the Dates and Listen to Pre-recorded Webinar Events – July 23, August 6, 20, September 4, 10

Be Prepared. Don't Let New Surveyor Guidance for F309 Catch You Off-Guard!

The Centers for Medicare and Medicaid Services (CMS) recently released new surveyor guidance to assess compliance with F309 and F329 as they relate to residents with dementia and use of antipsychotic drugs. AHCA is pleased to offer a series of six, brief, fast-moving and content-rich webinars to help your nursing center ensure that you are well-prepared for these changes. Webinars will be grounded in a QAPI approach and provide strategies for achieving compliance with the new guidance. **Each webinar is 30-minutes and will be available on-demand.** The first webinar in the series will be available during the week of July 9. Please visit the American Health Care Association (AHCA) website <http://webinars.ahcancal.org/index.php> for more information.

Week of August 6

F 309 & Antipsychotics?! Compliance?! QAPI?! : Your Integrated Pathway to Dementia Care. Part Three: Mining the Family Gold

Speaker: Marguerite McLaughlin, Senior Director of Quality Improvement, AHCA

Session Description: New guidance at F309 anticipates families being engaged and providing information to nursing centers about helpful approaches when caring for their family member. The information the families possess is equivalent to gold nuggets. What they know is boundless and immensely helpful in providing individualized care. Creating a climate where families are regarded as allies and partners who not only enhances care but also makes great business sense! Join us for this short and energizing session that offers insights into engaging families.

Learning Objectives:

1. Explore ideas that enhance the level of family engagement
2. Examine ways that families skills and talents can be put to use in your setting
3. Consider small steps that can more fully engage families

AQAF Offers Hand-In-Hand Training

The Alabama Quality Assurance Foundation (AQAF) would like to help you comply with Section 6121 of the Affordable Care Act of 2010. The *Hand in Hand Training Series* is being made available to you and your staff as part of AQAF's Statewide Learning Action Network events. AQAF is offering 25 "Train the Trainer" educational events over the next 12 months, beginning July, 10 2013. The first training session will be held in the Mobile area at Allen Memorial Home.

As many of you are aware, CMS, supported by a team of training developers and subject matter experts, created the *Hand in Hand Training Series* to ensure that nurse aides receive regular training on caring for residents with dementia, and on preventing abuse. Additionally, the series aligns with the National Partnership to Improve Dementia Care.

CMS provided to every nursing home in the country a copy of the Hand in Hand Training Series Toolkit. The toolkit is contained within a very large binder. Do you know where your binder is? Have you had the opportunity to start training? Not to worry – let AQAF help you!

The training is best done with relatively small groups due to the nature of the training and the interactive component. They plan to limit attendance to 30 per session. AQAF encourages you to take advantage of this educational opportunity! Do not wait to register as it is anticipated that the sessions will fill up quickly. *Please refer to the attached flyer for event details.*

Funding Available for Applied Research Projects to Advance Person-Centered Care

The Harvey Picker Center of Innovation and Applied Research Program is seeking proposals for specific interventions and innovations within long term care settings that facilitate the development and advancement of person-centered cultures and person-centered care within the healthcare delivery system. The expected outcome of a grantee's project will be a demonstration, including a robust dissemination plan, of the measurable effects, affordability and sustainability of the effort to advance person-centered cultures and/or the implementation of person-centered care. The project must be consistent with one or more of the Planetree or Picker Principles of Patient-Centered Care. Details regarding the application process and eligibility can be found in the Request for Proposals at

<http://newsmanager.commpartners.com/ahcamemo/downloads/Ruta01.pdf>.

The purpose of the Harvey Picker Center of Innovation and Applied Research Program is to provide annual grants to support research of innovative projects which are designed to facilitate successful initiatives that will advance the development of person-centered cultures and implementation of person-centered care across the spectrum of long-term care settings and services.

AHCA Quality Improvement Toolkits/Webinars

The 4 Key Strategies to Retain New Hires and Reduce Employee Turnover (toolkit and webinar) and the *Clinical Considerations of Antipsychotic Management* (Toolkit and webinar) are available (free) to all AHCA members at: <http://qualityinitiative.ahcancal.org>. This resource uses a process framework, based on the Nursing Process, to identify care objectives and expectations. It identifies tools and resources to help providers successfully manage antipsychotic medication use at the resident and facility level. The guide focuses on 7 critical steps needed to ensure quality outcomes that are successful and continuous.

Members will need to log-in to access the toolkits, as it is a member-only benefit. If log-in information is needed, please contact your facility Administrator or State Association and they can give you the information you need.

CALENDAR OF EVENTS

<u><i>Date</i></u>	<u><i>Event</i></u>	<u><i>Location</i></u>	<u><i>Time</i></u>
July 29	ANHA Facility Standards Committee Meeting	Hyatt at Wynfrey Hotel Birmingham	1:30 p.m.
July 29	ANHA Region IX Meeting & Election RSVP: Irma Taylor (205) 391-3600 Irma.Taylor@northporthealth.com Guest Speaker: Joel Black, Alabama Ham Radio Club Topic: Overview of Ham Radio Services	Cypress Inn Tuscaloosa	12:00 p.m.
July 30	Seminar: 2013 Summer Regulatory Update	Hyatt at Wynfrey Hotel Birmingham	8:30 a.m.
July 30	ANHA Region III Meeting & Election RSVP: Kevin Ball (205) 788-6330 kball@ballhealth.com Lunch will be provided	Genesis Magnolia Ridge Gardendale	12:00 p.m.
July 31	ANHA Region II Meeting RSVP: Jim Walker (256) 927-7408, jimwalker@earthlink.net	Catfish Cabin Albertville	12:00 p.m.
August 1	ANHA Region V Meeting & Election RSVP: Eldridge Stewart (334) 682-4231, estewart@frontiernet.net	Golden Ranch BBQ Selma	12:00 p.m.
August 9	ANHA Region VII Meeting & Election Meal Sponsored by RxAdvantage	Felix's Fish Camp Mobile	12:00 p.m.
August 14	ANHA Region II Act/SS Auxiliary Meeting RSVP: Mary Anne Parsons (256) 599-4895 Speaker Topic: Music Therapy	Catfish Cabin Albertville	11:00 a.m.

Alabama Nursing Home Association
4156 Carmichael Road ♦ Montgomery, AL 36106 ♦ PH: (334) 271-6214 ♦ FAX: (334) 244-6509
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>