



# 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, September 13, 2013

## ANHA NEWS

### ANHA Office Schedule for Annual Convention

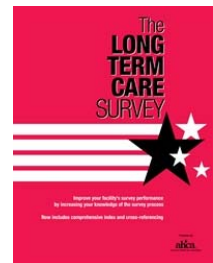
The Alabama Nursing Home Association office will be closed Monday, September 16 through Friday, September 20 for the Annual Convention and Trade Show. The office will re-open at 8:00 a.m. on Monday, September 23. Also, the *Weekly Roundup* will not be published next week.

### Handouts for Annual Convention

Handouts for the 2013 ANHA Annual Convention are now available on the Association's website: [www.anha.org](http://www.anha.org). Be sure to download and print these handouts prior to the convention and remember to bring them with you to the convention.

### Latest Edition of the Long Term Care Survey on Sale at Annual Convention

The new May 2013 edition of the Long Term Care Survey manual will be on sale at the ANHA Annual Convention. You may purchase copies at the convention registration desk.



After September 27, copies will be available for purchase via mail order.

### ANHA Nominating Committee Requests Nominations for ANHA Officers

The ANHA Nominating Committee is charged with the task of collecting the names of individuals interested in serving our Association in a leadership role.

The Committee is accepting nominations for the following positions:

Vice President, Secretary, Treasurer

Our nursing homes are blessed with countless people passionate about caring for our state's elderly. Pursuing a leadership position within this Association is a way to help shape the future of our profession. Your insight and expertise are needed.

If you are interested in one of the above positions, or if you have questions, please contact a member of the Nominating Committee.

Committee Members are:

- **Sal.Lee Sasser-Williams, Chair**, Sasser Enterprises, (334) 222-2133
- **Eddie Jackson, Member**, Heritage Health Care & Rehab, (205) 759-5179
- **Cindy Lewis, Member**, Woodland Village Health Care Center, (256) 739-1430

Elections will be held during the General Business Session of the ANHA Annual Convention on Monday, September 19, 2013, at 5:30 p.m. at the Hyatt Regency Birmingham – The Wynfrey Hotel.

### **ANHA 2013 Activity/Social Services Annual Convention**

Join ANHA as we present the 2013 Activity/Social Services Annual Convention October 16-18 at The Wynfrey Hotel in Birmingham. This year’s convention is packed with great educational offerings for **ALL** nursing home staff. Continuing education will be offered for activity professionals (12 hours), social workers (12 hours), nursing home administrators (12 hours) and nurses (14.4 hours).

During the convention, we will hold the Annual Activity/Social Services Auxiliary General Business Session and officers will be elected for 2014. The Activity/Social Services Auxiliary Nominating Committee is charged with the task of collecting the names of individuals interested in serving the Auxiliary Association in a leadership role.

The Committee is accepting nominations for the following positions:

Vice President, Secretary, Treasurer

If you are interested in one of the above positions, or if you have additional questions, please contact *Ina Brown* ([ina@tlcnursingcenter.com](mailto:ina@tlcnursingcenter.com)) or *Gail Gunn* ([mona.gunn@eamc.org](mailto:mona.gunn@eamc.org)). Elections will be held during the General Business Session of the Activity/Social Services Auxiliary Annual Convention on Thursday, October 17 at 1:30 p.m. at The Hyatt Regency Wynfrey Hotel in Birmingham.

### ***Host Hotel Reservations for 2013 Activity/Social Services Convention***

The newly renovated Hyatt Regency Birmingham – The Wynfrey Hotel will be the host hotel for this year’s convention. Reservations can be made by calling the hotel at 800-233-1234, or online at [www.hyattregencywynfrey.com](http://www.hyattregencywynfrey.com) and using code “G-AASS”.

The following rates have been negotiated with the Hyatt Regency Birmingham – The Wynfrey Hotel for our 2013 Activity/Social Services Annual Convention Attendees:

- \$140 per Standard/Double Room
- \$170 per Concierge Level Room

Based on space availability, these rates will be offered one day before and following the meeting dates. To ensure availability of reservation space, all participants are encouraged to make their overnight reservations by **OCTOBER 2**. After this date, rooms from our block which are not reserved will be released for general sales to the public and availability cannot be guaranteed. *Please see the attached brochure and registration forms for more information.*

# NATIONAL NEWS

## **CDC Alert – TB Antigen Shortage**

The Centers for Disease Control (CDC) has released an update on the nationwide shortage of TUBERSOL®. Last April 2013, CDC reported a shortage in TUBERSOL®, a product of Sanofi Pasteur Limited. Supplies were restored in early June. However, there is a TUBERSOL® shortage again until at least the middle of October for the 5 tuberculin units/0.1 mL, 5 mL (50 tests), and multiple dose vials. The 5 tuberculin units/0.1 mL, 1 mL (10 tests), multiple dose vials are in limited supply.

ANHA has been in touch with ADPH about the shortage and they are aware. We anticipate to have more information from ADPH soon regarding this issue. *To read more about the continued shortage and CDC recommendations please see the enclosed attachment.*

## **Escrow and Independent Informal Dispute Resolution (Independent IDR) Process for Nursing Homes – Applicable to all Civil Money Penalties (CMPs)**

The Centers for Medicare and Medicaid Services (CMS) has issued S&C Letter 13-57-NH (<http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-13-57.pdf>) stating that CMPs imposed pursuant to all standard or complaint surveys that begin on or after October 1, 2013, that initiate an enforcement action in which a CMP is imposed where the highest level of deficiency is less than a “G” level, will be subject to collection and escrow in accordance with 42 C.F.R. §488.431. CMPs based on surveys in which a deficiency is cited for actual harm or immediate jeopardy (“G” or higher) are already subject to escrow.

*Net Effect:* Previously, CMS phased in the escrow requirement by limiting it to CMPs imposed for actual harm or immediate jeopardy. Effective October 1, 2013 every CMP imposed for a deficiency in a nursing home will be subject to escrow and the nursing home may request an independent informal dispute resolution.

## **Clarifying the IPPS Final Rule for LTC Providers**

Last month, the Centers for Medicare and Medicaid Services (CMS) released its *FY 2014 Inpatient Prospective Payment System (IPPS) final rule*, which provided doctors and hospitals guidance on conferring inpatient status for stays that cross at least two midnights and thereby allow for coverage under the Medicare Hospital Inpatient Part A benefit. CMS believes that this change will help to reduce the use of observation days. As this final rule is implemented, we look forward to seeing if it does accomplish this objective and improves beneficiary access to post-acute care. It is important to clarify that the rules for skilled nursing care coverage currently remains exactly the same as they were prior to the release of the final CMS IPPS rule. ***Medicare beneficiaries must still have a three-day inpatient hospital stay in order to access coverage for their skilled nursing care.*** This has not changed.

## **PEPPER Reports**

We have been notified that the PEPPERS are in the mail. If you have questions please submit them through the Help Desk at [www.PEPPERresources.org](http://www.PEPPERresources.org); you will need to know your 6-digit

CMS certification number (there is a field in the Help Desk form for this) in order to research whether they have a PEPPER and to where it is being mailed.

The Program for Evaluating Payment Patterns Electronic Report (PEPPER) program was initiated in 2003, but since 2003 has focused on other types of providers over the years. It is now added 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.

## STATE NEWS

### Alabama Medicaid Agency – Preferred Drug List Update

Effective October 1, 2013, the Alabama Medicaid Agency will update the Preferred Drug List (PDL) to reflect the recent Pharmacy and Therapeutics (P&T) Committee’s recommendations as well as quarterly updates. The updates are listed below:

#### PDL Additions

<b>Ciprodex</b>	EENT Preparations/Antibacterials
<b>Combivent Respimat</b>	Respiratory/Respiratory Beta- Adrenergic Agonists
<b>Pataday</b>	EENT Preparations/Antiallergic Agents
<b>Patanase</b>	EENT Preparations/Antiallergic Agents
<b>Vigamox</b>	EENT Preparations/Antibacterials

#### PDL Deletions

<b>Tyzine</b>	EENT Preparations/Vasoconstrictors
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### Alabama Medicaid Agency – Pharmacy Changes

Effective October 1, 2013, the Alabama Medicaid Agency will:

- Discontinue coverage of over-the-counter medications (OTCs) for adults and children; *OTC insulin and nutritional products will remain covered.*
- Decrease Wholesale Acquisition Cost (WAC) ingredient reimbursement to WAC + 0% from WAC + 9.2% for drugs without an Average Acquisition Cost (AAC).

Effective October 1, 2013, the Alabama Medicaid Agency will begin phasing in the following changes for an effective date of January 1, 2014. Informational edits and/or overrides will be available during the phase in period; providers are encouraged to use the phase in period to coordinate/find the best schedule for each individual recipient.

Changes include:

- Implementation of a mandatory three month maintenance supply program for selected medication classes. A maintenance supply prescription will only be counted towards the prescription limit in the month in which it is filled.
- The selected classes include:

Medication Class	Medications Included
ACE Inhibitors	Preferred generics and brands
Antidepressants	Preferred generics and brands
Asthma	Generic montelukast only
Beta Blockers	Preferred generics and brands
Calcium Channel Blockers	Preferred generics and brands
Contraceptives	Oral, vaginal rings, patches only
Diabetic Agents/Supplies	Generic metformin, OTC, insulin syringes
Diuretics	Preferred generics and brands
Lithium	All covered Products
Statins	Preferred generics and brands
Thyroid Replacement	All covered Products

### **Hospital Licensure Rules Change – No Effect on Alabama Board of Nursing**

On July 12, the State Committee of Public Health adopted an amendment to the nursing services section of the Hospital Rules, bringing the rules in conformity with changes in federal regulations. Nurses no longer are required to have special training to administer blood transfusions and IV meds.

The questions received by the Alabama Board of Nursing related to whether their rules were changed in any way by the change in hospital licensure rules. The answer is NO. The hospital licensure rules change means that the Alabama Department of Public Health will not be specifically surveying for this regulation. In no way does this alter the Board of Nursing regulations requiring a standardized procedure for LPNs who initiate IV therapy (See ABN Administrative Code, Rule 610-X-6-.14, IV Therapy by Licensed Practical Nurses). Also, the rules specifically prohibit LPNs from administering blood products and that has not changed with the hospital licensure rules. The old ADPH rule did not match practice since RNs learned about giving IV meds in nursing school (basic education) and the theory behind blood transfusions is also covered. The process of how each facility handles blood transfusions is in facility policies and procedures.

The hospital licensure rules did not specify what ‘special training’ was required but the Board of Nursing regulations specify the training required for LPNs to initiate and infuse medications via an intravenous line. There are no comparative regulations for Registered Nurses or Advanced Practice Nurses to initiate and administer IV medications as this is part of basic RN education.

It is hopeful that this clarification answers the questions received by the Alabama Board of Nursing. If you need further clarification, please do not hesitate to call the Board of Nursing directly at 334-242-5860.

### **Address Change for State LTC Ombudsman Office**

The Office of the State Long Term Care Ombudsman Program has moved. The new mailing address is below. The phone number, (334) 242-5753, and the e-mail address, [virginia.bell@adss.alabama.gov](mailto:virginia.bell@adss.alabama.gov), remain the same.

#### **New Address:**

Virginia Moore-Bell, LBSW  
Director, Office of State Long-Term Care Ombudsman Program  
Alabama Department of Senior Services  
201 Monroe St., Suite 350  
Montgomery, Alabama 36130

### **Medicaid Update**

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 have the following to report:

#### **Expedite Online Web Portal:**

1. Remember to attach documents to the applicable page of the expedite application. If you are waiting until you get to the signature page to attach all documentation for the entire application, the system won't know that you have submitted the appointment of representative form. If you indicate in the status of a page that a form is attached, make sure you attach the applicable form to that page.
2. Status matters! "Saved" status just means you have saved it in the queue to return to later. "Submitted" status means you have submitted the application to Medicaid for processing.
3. You may attach more than one appointment of representative form. It may be a good idea to attach one for the nursing home and another signed by a family member. That way there won't be confusion about who submitted an application on behalf of the patient.
4. Internet Explorer version should be IE-9 or newer.
5. If you have an old operating system, you may have to use work-arounds or update the operating system.
6. If you are submitting for more than one nursing home facility, remember that you will need multiple facility codes so that Expedite will route the application to the appropriate Medicaid District Office. You may want to have different user names to keep up with the different facilities, e.g. first initial of your name, last name, and short name for nursing facility.
7. For more information please visit the Medicaid website at [www.medicaid.alabama.gov](http://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](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.

***Paul McWhorter, Medicaid's Policy Director, will be at ANHA's tradeshow. Please stop by his booth and ask him any Expedite or policy questions you may have.***

### **Annual Renewals:**

Some of you who assist families to submit nursing home applications have asked for a heads up on annual renewals that are coming due each month. Beginning in September, facilities will begin to receive a letter addressed to the *Medicaid Application Counselor* that contains a list of the residents in the facility whose annual renewals are coming due the next month. **Please make sure that letter goes to the staff member who tracks and monitors Medicaid eligibility and assists families with applications and renewals.** The application counselors may assist the family in gathering any information needed to submit the annual renewal; remind family sponsors that Medicaid is up for renewal; or assist in other ways to ensure continued eligibility and care.

### **Trouble with SSI cases?**

You may have noticed that patients who are eligible for Medicaid because of SSI status sometimes get terminated when they are actually still eligible. It isn't uncommon for SSI to suspend status when a SSI check is returned undeliverable or for other reasons when the recipient is still eligible for Medicaid. When SSI places a recipient in *suspended* status, their Medicaid *terminates*. (It happens via a nightly file transmission from SSI to Medicaid). If a patient is SSI eligible and their Medicaid terminates but you have reason to believe they are still Medicaid eligible, you may want to contact Patricia Swain at Medicaid. She can submit a form 8036 to the Social Security Administration to find out the reason and request appropriate actions. Ms. Swain can be reached at 334-353-3690.

### **Conservator Issues?**

Mr. Paul McWhorter, Director of Medicaid's Policy Division and his staff prepared training materials for DHR to use in upcoming conservator training. The training will be provided via webinar to DHR attorneys and other attorneys in the state working on behalf of DHR on conservator issues.

### **Medicaid Check Write Schedule for FY 2014**

The release of funds is normally the second Monday after the check write (remittance advice) date. Please verify direct deposit status with your bank. *As always, the release of direct deposit and checks depends on the availability of funds.*

October 4, 2013	October 18, 2013
November 1, 2013	November 15, 2013
December 6, 2013	December 13, 2013
January 3, 2014	January 17, 2014
February 7, 2014	February 21, 2014
March 7, 2014	March 21, 2014
April 4, 2014	April 18, 2014
May 2, 2014	May 16, 2014
June 6, 2014	June 20, 2014
July 11, 2014	July 25, 2014
August 8, 2014	August 22, 2014
September 5, 2014	September 12, 2014

## **Medicaid Cost Reports due September 15**

The Alabama Nursing Home Association will collect cost reports for analysis by our independent reimbursement consultant, Dave Bishop. As in the past, our reimbursement consultant will provide you a detailed analysis of your costs compared to the costs of other facilities of a similar size. ANHA cannot stress enough the importance of sending in your cost report. In order to negotiate with Medicaid on various issues, we need to have accurate information concerning the profession. This information has proved very beneficial in the past.

Please send a copy of your 2013 Medicaid Cost Report to [kmagdon@anha.org](mailto:kmagdon@anha.org) or by mail to:  
Alabama Nursing Home Association  
4156 Carmichael Road  
Montgomery, Alabama, 36106  
ATTN: Katrina Magdon

## **LPN License Renewal Began September 1**

LPN license renewal began on September 1, 2013. The Alabama Board of Nursing (ABN) only has about 3,500 LPNs (out of 18,000+) who are eligible to renew.

The reasons an LPN might not be eligible to renew are as follows:

- Lack of sufficient continuing education (this is the primary reason for LPNs not being eligible to renew).
- Fees and fines owed to the Board. Payment of owed fines and fees is required before renewal can proceed.
- Citizenship/legal presence has not been verified (we are still lacking about 1/3 of LPNs who have not been verified because we have not received the documents or we've had to return documents for completion).
- Lack of mandatory CE class for those licensed by examination in the last two years (4 contact hours; 7 segments; required of newly licensed LPNs).
- Currently suspended (very low number).

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.

If you have LPNs in your facility or LPNs that you know, please advise them to get their required CE, pay any outstanding fees or fines, submit citizenship/legal presence documents, watch the mandatory CE class if licensed during the past two years and this is their first renewal. ABN will mail a notice to all LPNs next week.

*Editor's Note: This article was provided by the Alabama Board of Nursing.*

## **ADPH Technical Services ALERT**

It has come to the ANHA's attention that ALL correspondence, specifically the 2567, from ADPH/Technical Services (Life Safety) is being sent to a facility's e-mail with a receipt request/verification. Technical Services has indicated to ANHA that many facilities are not replying to the receipt request and that they will "eventually" not be placing a physical call to a location to confirm receipt. Technical Services has asked that each facility send in a current and valid email address in order to ensure correct correspondence and timely POC's.



It is **STRONGLY** recommended that each facility send an email address, contact designee, facility name and phone number to: [lifesafety@adph.state.al.us](mailto:lifesafety@adph.state.al.us)

## OTHER NEWS

### **AQAF Offers Educational Seminar: Cognitive Connections: Awakening the Human Spirit through Innovations in Dementia Caregiving**

The Alabama Quality Assurance Foundation is offering a seminar regarding Dementia Care on September 26 in Birmingham and September 27 in Montgomery. To register: Go to [www.aqaf.com](http://www.aqaf.com) then to News/Events, Events Calendar, September 2013, then select the date you plan to attend. The registration form will appear. After completion, you will receive an e-mail confirmation.

If you do not have access to a computer or an e-mail address, please call for assistance to: Rose Finkelstein, Administrative Assistant 800-760-4550, Ext. 3107 or [rfinkelstein@alqio.sdps.org](mailto:rfinkelstein@alqio.sdps.org)

### **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.

### **Governor Bobby Jindal Confirmed as Closing Keynote Speaker at AHCA Annual Convention & Expo**



Governor Bobby Jindal has been serving as the Governor of Louisiana since 2008. As Governor, he has focused on issues involving the state's health care, education, and transportation systems, as well as encouraging workforce development and continuing recovery efforts in areas devastated by hurricanes such as Katrina and Rita. He has also been concerned with comprehensive ethics reform. In his career, he has served a number of public offices and has faced many challenges in disaster recovery efforts, as well as issues concerning Medicare and Medicaid. Jindal will share his experiences and perspectives on these issues.

# CALENDAR OF EVENTS

<u><i>Date</i></u>	<u><i>Event</i></u>	<u><i>Location</i></u>	<u><i>Time</i></u>
September 16-19	ANHA Annual Convention and Trade Show	Hyatt Wynfrey Birmingham	
September 18	ANHA Region IX Act/SS Meeting and Eleciton RSVP: Debra Dixon (205) 932-1173	Fayette Medical Center LTC Fayette	12:00 p.m.
September 27	ANHA Region VII Act/SS Auxiliary Meeting & Election RSVP: Janet Daughdrill (251) 471-5431, ext. 5011	Felix's Fish Camp Mobile	11:30 a.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>