

CENTERS FOR MEDICARE & MEDICAID SERVICES

Skilled Nursing Facility (SNF)/Long Term Care (LTC) Open Door Forum

Moderator: Jill Darling

November 17, 2016

2:00 p.m. ET

Operator: Good Afternoon. My name is (Nicole) and I will be your conference facilitator today. At this time, I would like to welcome everyone to the Centers for Medicare and Medicaid Services Skilled Nursing Facilities Long Term Care Open Door Forum.

All lines have been placed on mute to prevent any background noise. After the speakers' remarks, there will be a question and answer session. If you would like to ask a question during this time, simply press "star" then the number "one" on your telephone keypad. If you would like to withdraw your question, press the "pound" key. Thank you.

Jill Darling, you may begin your conference.

Jill Darling: Good morning and good afternoon, everyone. Thank you for joining us today for the Skilled Nursing Facilities Long Term Care Open Door Forum. I'm Jill Darling in the CMS Office of Communications.

Before we get into the agenda, I have a few announcements. This Open Door forum is not intended for the press and the remarks are not considered on the record. If you are a member of the press, you may listen in but please refrain from asking questions during the Q&A portion of the call. If you have any inquiries, please contact CMS at press@cms.hhs.gov.

And one new update that we have that is on the agenda, all CMS Open Door Forums will now be available through podcasts so we'll have a transcript and an audio available to you. There is a link on the agenda so after today's call, and any open door forum call, give us about a week or so to post the transcript and the audio onto the Web Site.

So, my last announcement is it's flu season again and we need your help promoting awareness about the need to vaccinate all patients against influenza. Hospitalizations and deaths occur from the flu. Most are people 65 years of age and over. As we are sure you already are aware, Medicare and Medicaid pays for the flu vaccine. In addition, the flu vaccine is one of the essential health benefits required for all of the health insurance plans in the marketplace. It is important that each of us and our families get vaccinated annually. Not only does it help keep us healthy, it helps prevent the spread to others. To learn about how the flu changes and FAQs, please visit the Center for Disease Control and Prevention's flu Web Site at www.cdc.gov/flu.

And so now, we'll get into our agenda and first up we have John Kane who will go over the SNF payment model research update.

John Kane: Thanks very much, Jill, and thanks everyone for being on the call today. So, as hopefully all of you already know, CMS is contracted with Acumen LLC to identify potential alternatives to the existing methodology used to pay for services under the SNF PPS. This is because currently therapy payments under the SNF PPS are based primarily on the amount of therapy provided to a resident regardless of the specific resident characteristics and care needs.

To address this and other potential areas of concern, CMS has engaged in researching potential alternatives to the current SNF payment system. The reason we are raising this today is to highlight a presentation that has been added to our project Web Site. This presentation was used during the fourth and most recent technical expert panel hosted by our contractor approximately one month ago. This presentation provides an outline to the components of an alternative SNF payment model that is currently being refined based on feedback we received from members of the technical expert panel.

We truly appreciate their comments and recommendations and want to encourage all interested parties to provide their comments and recommendations on the developing alternative payment model. The best way to accomplish this would be through the e-mail box we have set up for this project. The address for which is contained in the agenda for today's

meeting. It is, for those of you who had not seen it, snftherapypayments@cms.hhs.gov. Again, that is snftherapypayments@cms.hhs.gov.

We would also encourage you to go to our Web Site and read through the materials posted there which include all the presentations from our four technical expert panels as well as summary reports for the first three panels. We expect to post a summary of the fourth technical expert panel within the next couple of months. In order to access the project Web Site, we would invite you to go to the main SNF page on the CMS Web Site which can be accessed at www.cms.gov/snfpps. On the left side of the screen, you'll see a link entitled SNF PPS payment model research.

Click that link and you will go to the landing page for this project. Again, if you have any questions, comments, or recommendations for us, please feel free to contact us at the e-mail address we provided. And with that, I'm actually going to turn to something that I have been also asked to let everyone know about. And this is in relation to a recent QTSO memo that had been issued. An issue has been identified with MDS 3.0 assessment records submitted to the ASAP, or assessment submission and processing system, beginning October 1 2016 through November 4 2016.

This issue impacts all NO and SO nursing home and swing bed OMRA assessment records with a target date on or after October 1 2016 and may have resulted in an incorrect ASAP system calculated RUG code for these assessments. No other assessment record types were affected by this issue. This issue involves submitted MDS response values for M0300B1, M0300C1, M0300D1, and M0300F1 for NO and SO assessment records.

The submitted response values were not stored in the ASAP system despite being required for the NO and SO assessment record. Since these values were not stored they were excluded from validation and RUG calculations that would have occurred during this time period. All providers who submitted MDS NO and SO assessment records on or after October 1 through November 4 with a target date of October 1, 2016 or after must submit a modification record to the ASAP system.

No changes are required in this modification record. Providers may not submit the original record a second time as it will be rejected as a duplicate record if it was accepted into the ASAP system in the original submission. Submission of the modification record will allow the ASAP system to correctly recalculate the RUG value and have accurate data stored for reporting purposes.

An e-mail blast containing this information will be sent to all MDS providers and vendors for whom we have e-mail addresses. If you have any questions concerning this information, please contact the QTSO help desk at help@qtso.com or at 1-888-477-7876. Thanks, everyone. I'll turn it back over to Jill.

Jill Darling: Thanks, John. Next we have (Lorelai Kahn) who has a PBJ update.

(Lorelai Kahn): So, we are pleased to report that approximately 90 percent of providers have submitted PBJ data. Thank you all for your hard work. We recognize that this is a new process that presented challenges for some providers. We appreciate your efforts with this important requirement as transparency and reporting of staffing is critical. Here are just a few reminders based on questions that we have received. We understand several providers are confused about what number to use when PBJ asks for the facility ID.

The list of facility IDs can be found by logging onto CMS Net, clicking QIES systems for providers and then under PBJ submissions click "look up facility ID." For questions related to entering the hire and rehire dates for employees, please see section 8.4, manual data entry and XML submission rehire process of the PBJ user manual which can be found at www.qtso.com/pbjtrain.html. We are also aware that some facilities may be confused on the use of the save button in the PBJ system.

The save button is the same as submitting your data. Additionally, you can save and submit as often as you'd like throughout the quarter such as every two weeks and you can always go back and edit your data for previous weeks. Do not wait until the end of the quarter to save and submit. We are aware that

some providers are concerned that PBJ data will be compared to the information submitted on their CMS 671 form. We acknowledge that there are differences between how staffing data is submitted and comparing the instructions and policies of PBJ and the CMS 671 and they cover very different timeframes. Therefore, there may be differences between the PBJ data and the data from the CMS 671.

We acknowledge that this program is new and that some providers experience challenges with submitting data. Also, the large number of provider submissions that occurred as we neared the submission deadline resulted in high network utilization which subsequently caused slow system response times for some users. At this time, CMS will accept data submission past the deadline and will not impose penalties for providers who did not meet the deadline. However, we expect providers to still make a good-faith effort to submit data as soon as possible for fiscal year 2016 quarter four, which is July 1 through September 30 2016, by December 1.

We intend to place an indicator on Nursing Home Compare which will reflect whether or not a facility has submitted data by this date. Thank you.

Jill Darling: Thank you, (Lorelei). Next we have (Kim Roche) who has an update on implementation of Phase One of the requirements for participation for long-term care facilities.

(Kim Roche): Thank you, Jill. As you know, on September 28, CMS released revised requirements for participation for Medicare and Medicaid certified nursing facilities. Most regulations groups were re-designated and have new numbers. So, in the final rule at table one, title 42, that cross references to part 483 subpart B in the final rule. And it lists the previous and the new regulation groups and the changes that were made.

The final rule stipulates that the regulations will be effective through three different phases from November 28 2016 through November 28 2019. The phases and their effective dates are as follows. Phase One, November 28 2016. Phase Two, November 28 2017. And Phase Three, November 28 2019.

I want to bring to your attention that there is a table in the final rule that lists the implementation timeframe details. In addition to that information, I want to bring your attention to two survey and certification letters that came out this past month. The first one is survey and certification letter 17-07-NH for nursing home. And this letter contains an advanced copy of Appendix PP.

And PP has been updated to include the revised regulatory requirements that were released with the final rule. And this version is effective November 28. And this version will be used for surveys occurring on and after November 28 2016. In the future, CMS will be issuing a subsequent version with updated guidance and a reordering of (F) tags.

We have included Phase Two and Phase Three language in this advanced copy, but we've distinguished these provisions within Appendix PP, and we've listed their effective dates. Another letter that I want to bring to your attention is survey and certification letter 17-03-NH. And in this letter, it's actually a save-the-date letter. And it's for training for Phase One implementation.

And CMS has developed an online training for our regional offices, for our state survey agencies, for providers, and for other stakeholders. And this online training will include information about Phase One of the new regulations. And it will be available tomorrow. And it will stay up and available as a webinar through July of 2017. So, I just wanted to bring those letters to your attention today. Thank you, Jill.

Jill Darling: Thanks, (Kim). We did have the Nursing Home Conversion Strategic Plan on the agenda, but that had to reschedule. So, up next we have Sharon Lash who has a SNF QRP announcement.

Sharon Lash: Thank you, Jill. Good afternoon, everyone. I just want to take this opportunity to update you about the resources available on this CMS SNF QRP Web Site.

The easiest way to access this is through the Nursing Home Quality Initiative home page or even easier is just to do a CMS SNF QRP search in your browser and you'll come right up with the SNF QRP webpage. There are

seven sections that are now being more actively developed now that we've started data collection as of October 1 of this year. The first page is the homepage that contains downloads and we have a fact sheet there that addresses a number of frequently asked questions. But we will be updating this fact sheet periodically. So, please do refresh your bookmarks on a regular basis.

The spotlights and announcements page is frequently updated with information about the upcoming SNF QRP activities, including program updates and deadlines, trainings, and the posting location of new resources. The measures and technical information page features information about SNF QRP measures and items set specifications. We'll probably be breaking that out into two sections, the measures section and the technical information page, probably with next year's proposed rule just for clarity and making it cleaner.

On the training page, materials from the previous QRP trainings can be found in the download section at the bottom of the page. Materials available include PowerPoint presentations, answers to polling scenarios, materials used to facilitate the integrated case study and other classroom activities, and answers to questions posed by participants during the training.

The FAQ page will be updated periodically with documents containing frequently asked questions from the SNF QRP help desk and the responses to those questions. The reconsideration page outlines the process for submitting a reconsideration request to CMS if a provider is found noncompliant with the requirements of the SNF QRP for a given fiscal year. And lastly, the help page provides contact information for the various help desks that are available for SNF providers.

And that's all I wanted to say today. Thanks, Jill.

Jill Darling: Thank you, Sharon. And thank you to all of our speakers today. And, (Nicole), we'll go into our Q&A please.

Operator: As a reminder, ladies and gentlemen, if you would like to ask a question, please press "star" then the number "one" on your telephone keypad. If you

would like to withdraw your question, please press the “pound” key. Please limit your questions to one question and one follow up to allow other participants time for questions. If you require any further follow up, you may press “star one” again to rejoin the queue.

Your first question comes from the line of (Doug Kopecky). Your line is open.

Female: Hello, (Doug), are you there? He gave up. All right, we’ll take next question please.

Operator: Your next question comes from the line of (Mindy Nelson). Your line is open.

(Mindy Nelson): When can we expect the interpretative guidelines to be posted for the Phase I implementation?

(Kim Roach): Hi, this is (Kim). What you’ll see in appendix PP are current interpretative guidelines. We will not be updating those until much later next year to go along with Phase II.

(Mindy Nelson): Thank you.

(Kim Roach): You’re welcome.

Operator: Your next call comes from Pam Campbell. Your line is open.

Pam Campbell: Hi, thanks for taking my question, I have a question specifically about the memo about the modifications with the NO, so records between October 1 and November 4. Are those modifications required on all OMRA assessments, or just the standalone OMRA assessments? I’ve gotten some conflicting information.

(Ellen Barry): This is (Ellen Barry). And I believe that at this moment you want to – whenever the item set is an NO or an SO, from a clinical standpoint, it is the

standalone end of therapy OMRA or change of therapy OMRA, whether it's for the nursing home or the swing bed.

Pam Campbell: OK, so not if it's combined with any other assessment type?

(Ellen Barry): Correct, because you would not get an NO or an SO.

Pam Campbell: Right. OK, thank you.

(Ellen Barry): You're welcome.

Operator: Your next question comes from the line of (Bridget Alexander). Your line is open.

(Bridget Alexander): Hi, thank you for taking the question. We were having difficult finding your value based purchasing report. Did you have any – do you know if they're out there? We did not see them when we were looking. There were several reports, but we couldn't recall finding that one.

Jill Darling: Hi, this is Jill Darling. Could you submit your question to the SNF ODF inbox please? And we'll forward that along.

(Bridget Alexander): The smith – what is it?

Jill Darling: It's snf_ltcodf-1@cms.hhs.gov.

(Bridget Alexander): Thank you.

Jill Darling: You're welcome.

Operator: Your next question comes from the line of (Toni Harvick). Your line is open.

(Toni Harvick): Hi, we have a question on the therapy portion. Is the signature required from the physician when the therapist can do the orders? Do we still need the physician's signature?

(Male): Hi, could you – are you talking about the – could you clarify your question a little bit more? What specific CMS program are you referring to, or are you referring to the new (autocan) rules requiring participation?

(Toni Harvick): Yes, I am talking about that where a therapist can write their own orders in Phase I.

(Male): OK, this is (inaudible). That's going to be allowable under state law for the scope of practice for our therapists. If the state law allows the therapist to write orders, than it's allowable as far as CMS is concerned.

(Toni Harvick): OK, thanks.

Operator: Again, if you have a question, please press "star one." Your next question comes from the line of (Brooke Kapecki). Your line is open.

Jill Darling: All right, we'll take the next question please.

Operator: Your next question comes from the line of (Bridget Alexander). Your line is open.

(Bridget Alexander): OK, thank you again for taking the question. We have been submitting our staffing information and we – it appears that we don't have any problems. Will we know immediately if we were having trouble or issues with our staffing input data?

(Lorelai Kahns): Are you entering the data manually, or uploading XML files?

(Bridget Alexander): We're entering it manually.

(Lorelai Kahns): If you're entering it manually, as long as you hit the save button, you should get a screen that says your information has been saved. And that will be intrinsic to the PBJ system. So, we already have that.

(Bridget Alexander): OK, so if we were – if there were issues with the data entry, would we be made aware?

(Lorelai Kahns): Yes, you will. You will get an error code.

(Bridget Alexander): OK, thank you.

(Lorelai Kahns): No problem.

Operator: There are no further questions at this time.

Jill Darling: All right, well, thank you everyone for joining today's SNF LTC Open Door Forum. The next Open Door Forum is scheduled January 12, 2017. So, just be aware that the date is subject to change. Thank you everyone. Have a great day.

Operator: Thank you for participating in today's Skilled Nursing Facilities Long-Term Care Open Doors Forum conference call. This call will be available for replay beginning at 9:00 a.m. Eastern time, November 21 2016 through midnight on November 23. The conference ID number for the replay is 44695728. The number to dial for the replay is (855) 859-2056.

This concludes today's conference call. You may now disconnect.

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