

# Emergency Preparedness

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# Polling Question # 1

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On a scale from 1 to 10, 1 being the lowest and 10 the highest, how prepared is your PACE organization to meet the new CMS emergency preparedness requirements?

# Objective

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- Participants will gain a better understanding of the emergency preparedness final rule and be able to identify the core requirements necessary for compliance.
- Participants will also gain information regarding the various emergency planning resources and technical assistance services that are available for assisting with the development of their emergency preparedness programs.

# What are Conditions of Participation?

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- Conditions of Participation (CoPs) and Conditions for Coverage (CfCs) are health and safety regulations which must be met by Medicare and Medicaid-participating providers and suppliers.
- They serve to protect all individuals receiving services from those organizations.
- Regulations for PACE organizations located in part 460, subparts E through H, set out the minimum health and safety standards a facility must meet in order to obtain Medicare certification.

# Highlights of the Emergency Preparedness Regulation

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- Proposed rule published in the Federal Register on December 27, 2013.
- Expanded upon and replaced existing emergency preparedness requirements for PACE found previously at 460.72(c).
- Establishes consistent emergency preparedness requirements across provider and supplier types.
- Establishes a more coordinated response to natural and man-made disasters.
- Applies to 17 Medicare and Medicaid providers and suppliers.
- Final rule published in the Federal Register on September 16, 2016.
- Implementation deadline is November 16, 2017.

# Stakeholder Feedback

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## Timeframes

- Delay implementation
- Phase in by provider type

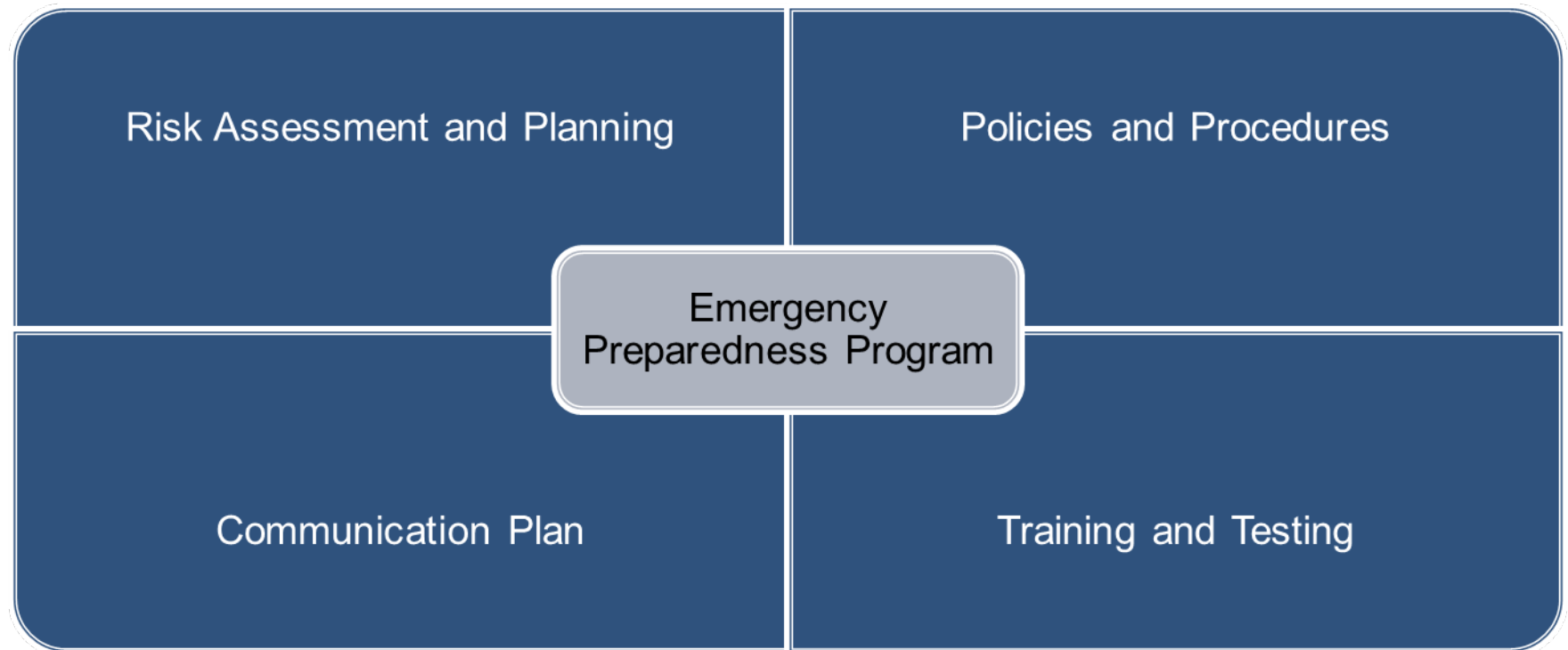
## Existing Standards

- Overlap with existing laws
- Defer to existing standards

## Burden

- Impractical for provider type
- Compliance too costly

# Four Provisions for All Providers



# Risk Assessment and Planning

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- Develop an emergency plan based on a risk assessment
- Perform risk assessment using an “all-hazards” approach, focusing on capacities and capabilities
- Update emergency plan at least annually



# What do we mean by “all-hazards”?

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An “all-hazards” approach is an integrated approach to emergency preparedness planning that focuses on capacities and capabilities that are critical to preparedness for a full spectrum of emergencies or disasters, including internal emergencies and a man-made emergency (or both) or natural disaster.

# Policies and Procedures

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- Develop and implement policies and procedures based on the emergency plan and risk assessment.
- Policies and procedures must address a range of issues including subsistence needs, evacuation plans, and procedures for sheltering in place.
- Review and update policies and procedures at least annually.

# Communication Plan

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- Develop a communication plan that complies with both Federal and State laws.
- Coordinate patient care within the facility, across health care providers, and with state and local public health departments and emergency management systems.
- Review and update plan annually.

# Training and Testing

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- Develop and maintain training and testing programs, including initial training in policies and procedures.
- Demonstrate knowledge of emergency procedures and provide training at least annually.
- Conduct drills and exercises to test the emergency plan.

# Requirements for Testing Exercises

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Annually, providers are required to:

- Participate in a full-scale exercise that is community-based or facility-based when a community-based exercise is not accessible

AND

- Conduct an additional exercise of the facility's choice

*Note:* A provider may be exempt from conducting one of the testing exercises, if the provider experienced an emergency and had to activate its emergency plan.

# Highlights of Certain Requirements for PACE

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- Required to have policies and procedures to inform state and local officials at any time about PACE patients in need of evacuation from their residences due to an emergency situation.
- Required to track on-duty staff and sheltered participants both during and after an emergency.

## Polling Question # 2

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What is the implementation deadline for these emergency preparedness requirements?

- A. December 15, 2018
- B. November 15, 2018
- C. December 15, 2017
- D. November 15, 2017

# Survey & Certification Emergency Preparedness Website

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This Web site provides “one-stop shopping” to obtain both mandated and voluntary emergency preparedness information and tools including:

- Interpretive Guidelines (IGs) which will assist in implementation of the new regulation.
- FAQs
- Emergency Preparedness Checklist
- Sample plans

Questions can be submitted by email to [SCGEmergencyPrep@cms.hhs.gov](mailto:SCGEmergencyPrep@cms.hhs.gov).



## The Office of the Assistant Secretary for Preparedness and Response's (ASPR) Technical Resources, Assistance Center & Information Exchange

- Assistance is available for implementing these requirements with resources tailored to a provider's specific needs.
- Resources for hazard vulnerability assessments, emergency plans, policies and procedures, communications plans, trainings, and testing.



[ASPRtracie.hhs.gov/CMSrule](https://asprtracie.hhs.gov/CMSrule)



1-844-5-TRACIE



[askasprtracie@hhs.gov](mailto:askasprtracie@hhs.gov)

# Important Links & Additional Resources

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## **Proposed and Final Rules:**

- December 27, 2013 Proposed Rule  
<https://www.regulations.gov/document?D=CMS-2013-0269-0002>
- September 16, 2016 Final Rule  
<https://www.regulations.gov/document?D=CMS-2013-0269-0377>

## **Survey and Certification Group Emergency Preparedness Website:**

- <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/index.html>

## **Appendix Z, Emergency Preparedness Final Rule Interpretive Guidelines and Survey Procedures**

- <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Policy-and-Memos-to-States-and-Regions-Items/Survey-and-Cert-Letter-17-29.html>

## Important Links & Additional Resources (cont.)

### Medicare Learning Network National Provider Calls:

- Audio of EP MLN Call 10-5-16

<https://www.cms.gov/Outreach-and-Education/Outreach/NPC/National-Provider-Calls-and-Events-Items/2016-10-05-Emergency-Preparedness.html?DLPage=1&DLEntries=10&DLFilter=emergency%20preparedness&DLSort=0&DLSortDir=descending>

- Audio of EP MLN Call 4-27-17

<https://www.cms.gov/Outreach-and-Education/Outreach/NPC/National-Provider-Calls-and-Events-Items/2017-04-27-Emergency-Preparedness.html?DLPage=1&DLEntries=10&DLSort=0&DLSortDir=descending>

## Important Links & Additional Resources (cont.)

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- **ASPR TRACIE CMS EP Rule: Resources at Your Fingertips document**

<https://list.bis.icfi.com/t/2301515/23785722/131/21/>

Here you can find links to resources applicable to a variety of providers and suppliers.

## Polling Question # 3

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To recap, what are the core elements required as part of your emergency preparedness program?

- A. Emergency plan and Policies and Procedures
- B. Emergency plan, Policies and Procedures, Communication Plan, and Training and Testing Program
- C. Communication Plan and Training and Testing Program
- D. Policies and Procedures and Communication Plan