

# 2017-18 Extensions and Exemption Requests archives

## About this Page:

This webpage provides information on CMS's HQRP Exemption and Extension Policy for Extraordinary Circumstances. This policy applies to both the Hospice Item Set (HIS) and Hospice **Consumer Assessment of Healthcare Providers and Systems (Hospice CAHPS®)** survey.

This webpage provides information on two aspects of this general Exemption and Extension for Extraordinary Circumstances policy:

- Provider-initiated requests for exemption or extension for extraordinary circumstances
- CMS-initiated waivers for exemption or extension for extraordinary circumstances that are based on FEMA designated natural disasters.

For additional assistance, hospices may submit questions related to the extensions or exemptions requirements to the following email address: [HospiceQRPreconsiderations@cms.hhs.gov](mailto:HospiceQRPreconsiderations@cms.hhs.gov).

## Background:

Although hospice providers are required to submit HIS and CAHPS® data to CMS to comply with HQRP requirements, CMS recognizes that there are instances where an extraordinary or extenuating circumstance beyond the hospice's control (e.g., natural disasters) may delay or prevent submission of required data.

CMS does not wish to unduly increase provider burden during times, nor does CMS want the extraordinary or extenuating circumstance to negatively impact a hospice provider's APU and compliance with HQRP requirements. In the FY 2018 Hospice Final Rule, CMS finalized the Exemption and Extension for Extraordinary Circumstances policy.

This policy consists of two parts:

- **Provider-initiated requests for exemption or extension for extraordinary circumstances:** if a hospice provider experiences an extraordinary circumstance, they can initiate a request for extension or exemption. The request must be initiated within 90 days of the extraordinary circumstance event and it must be sent to CMS via email following the instructions below.
- **CMS-initiated waivers for exemption or extension for extraordinary circumstances:** when a natural or man-made disaster impacts a large geographic area or large number of hospice providers, CMS can automatically grant an exemption or extension groups of affected providers. In CMS-initiated waivers, providers do not need to take any action to be granted an exemption or extension. CMS-initiated waivers are communicated to providers via the communication channels noted below.

When an extension or exemption is granted (either through the provider-initiated request or the CMS-initiated waiver), a hospice will not incur payment reduction penalties for failure to comply with the requirements of the HQRP, **for the time period for which the extension or exemption was granted.**

Note that the Exemption and Extension for Extraordinary Circumstances is different from the CAHPS® size and newness exemptions; for more information on CAHPS size and newness exemptions, please see the [Hospice CAHPS® portion](#) of this webpage.

## Definitions:

### Extraordinary Circumstance:

Natural or man-made disasters preventing timely submission of quality data. A disaster may be widespread or affect multiple structures or isolated and affect a single site only.

#### **Extension:**

Data submission deadline for HIS and/or CAHPS extended. If granted an extension, the hospice is still responsible for submitting data collected during the timeframe in question; the extension allows the provider to submit the data "late" (30-45 days past the deadline) for a specified timeframe, without any negative impact on HQRP compliance/APU.

#### **Exemption:**

Data submission for HIS and/or CAHPS waived for a specified time period. With an exemption, the hospice is exempted from data submission entirely for a specified time period, without any impact on HQRP compliance/APU.

#### **Requesting a Provider-initiated Exemption or Extension Request**

The HQRP does not have a specific extension or exemption request form. Instead, hospice providers are required to submit an email request within 90 calendar days of the date the extraordinary circumstance occurred.

#### **How to Submit a Provider-Initiated Exemption or Extension Request**

Extension or exemption requests and supporting documentation must be submitted via email with the subject line that contains the text: "ACA 3004 Extension and Exemption Request" and the Hospice CCN (e.g., ACA 3004 Extension and Exemption Request, CCN = XXXXXX) to the following email address: [HospiceQRPreconsiderations@cms.hhs.gov](mailto:HospiceQRPreconsiderations@cms.hhs.gov).

The request must include the following information:

- The Hospice CMS Certification Number (CCN);
- The Hospice business name;
- The Hospice business address;
- The Administrator contact or designee representative information, including name, email address, telephone number, and physical mailing address; and
- The reason(s) for requesting an extension or exemption;
- Time period the hospice wishes to request an extension or exemption; and
- Identify which reporting requirement the extension/exemption is being requested for (i.e., HIS, CAHPS®, or both).

The request for extension or exemption **must be accompanied by supporting documentation demonstrating need**. CMS will be unable to review any request that fails to provide the necessary documentation along with the request. Supporting documentation must include the following:

- Proof of an extraordinary circumstances beyond the hospices control (for example, natural or man-made disasters) (may be in the form of a news article, pictures, or other documentation attesting to the incident);
- Includes Dates of occurrence; and
- Other documentation that may support the rationale for seeking extension or exemption.

#### **CMS Response**

- CMS will provide written acknowledgment upon receipt of the request to the Administrator or Administrator designee contact provided in the request.
- CMS will determine whether the evidence submitted supports the extension or exemption request. The determination will be made based solely on the documentation provided. CMS will not contact the hospice to request additional information or to clarify incomplete or inconclusive information.
- CMS will provide written notification of the decision to the Administrator or Administrator designee indicated in the request. The response usually occurs within 30 days of receipt of the request.

**If clear evidence to support the need for an extension or exemption exists, CMS will provide the extension or exemption for a determined period of time. If no clear evidence to support the need is given, the request will be denied.**

**Please ensure that no protected health information (PHI) is included in the documentation being submitted for review.**

### **CMS-initiated Waivers for Exemption or Extension for Extraordinary Circumstances**

When a natural or man-made disaster impacts a large geographic area or large number of hospice providers, CMS can automatically grant an exemption or extension groups of affected providers. In CMS-initiated waivers, providers do not need to take any action to be granted an exemption or extension.

### **Communicating CMS-initiated Waivers**

If CMS grants a waiver, CMS will communicate the decision through routine channels to hospices and vendors, including, but not limited to, Open Door Forums, ENews and notices on the CMS Hospice Quality Reporting website (direct link): [/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/Hospice-Quality-Reporting](#).

For Hurricanes specifically, CMS will post updates on the [CMS Hurricane](#) page. If your hospice has been impacted by a hurricane, we recommend you check the CMS Hurricane page frequently for updates.

### **Special Circumstances for Hospice Providers**

CMS waivers are often made at the agency-level, for a variety of care settings at once; thus, CMS-initiated waiver language communicated through the channels above may not be specific to hospice agencies.

CMS realizes that hospice care delivery is unique compared to other care settings. For example, a hospice may have a business office located in one state, but provide services in another state. In these instances, for the purposes of the HQR, it is CMS's intent for waivers to apply to the hospice's service area, not their business address, corporate office, etc. Thus, if CMS grants a waiver for an affected area, if your hospice agency serves patients in that area, you can assume the waiver applies to your agency. If your agency is later found non-compliant due to late or missing data for the time period of the disaster, CMS would encourage your agency to apply for Reconsideration.

### **Hospice QRP: Natural Disaster Protocol**

Hospice providers affected by natural disasters in counties that are identified through the [Federal Emergency Management Agency \(FEMA\)](#) as "Designated Areas" will be provided guidance and further information via this webpage with respect to data submission requirements as it becomes available.

In addition, details and materials are also available on the [CMS Emergency Response and Recovery](#) webpage.

Please note- designated areas may be updated to add affected areas by natural disasters. Please continue to check back frequently for updates.

## Updates

**October 11, 2018**

### **Extraordinary Circumstances Extension / Exception (ECE) due to Hurricane Florence**

The Centers for Medicare & Medicaid Services (CMS) is issuing a blanket exemption for data submission for the Hospice Quality Reporting Program (QRP), for Medicare providers adversely affected by the devastating impact of Hurricane Florence.

Hospice providers located within the Federal Emergency Management Agency (FEMA)-designated "major disaster" counties in North Carolina and South Carolina are not required to submit quality measure data to meet submission requirements for the reporting quarters specified by CMS. For a list of the designated counties and other information, see the related Email notification , issued October 11, 2018

Exemptions are being issued for several quality reporting data submission requirements because of possible damage to facilities and/or systems resulting in their inability to gather or submit data, as well as the need to prioritize immediate resources for direct patient care.

### **Hospice QRP exemptions**

CMS has granted a blanket exemption for all Hospices **in the designated counties** for the following Hospice QRP data submission requirements, including required quality data submitted via the Hospice Item Set (HIS) and Hospice **Consumer Assessment of Healthcare Providers and Systems (Hospice CAHPS®)** survey)

- Second Quarter 2018 (April 1, 2018 – June 30, 2018) for the November 15, 2018 submission deadline
- Third Quarter 2018 (July 1, 2018 – September 30, 2018) for the February 15, 2019 submission deadline

**Please note that this exemption applies to quality data only, and has no effect on the submission of the Hospice HIS or CAHPS for payment purposes.** While you can continue to submit quality data to CMS, any data submissions for the above-listed exempt CY 2018 quarters will not be considered when determining compliance related to the FY 2020 reporting requirements for your Hospice. That is, you will not be held accountable for data collected and submitted during the above-identified 2018 quarters. We would like to also note that this exemption from quality reporting requirements for the Hospice QRP may impact the minimum case threshold counts for calculation of quality metrics, in which case CMS would suppress the applicable data on the Hospice Compare site, when quality measure target periods that include Q2 and/or Q3 2018 data are calculated and publicly posted. Hospice providers may submit questions about this blanket exemption to [HospiceQRPreconsiderations@cms.hhs.gov](mailto:HospiceQRPreconsiderations@cms.hhs.gov).

For Hospices outside the FEMA-designated counties that were affected by Hurricane Florence, please follow the directions related to requesting an exemption or extension, as listed on [Hospice QRP Extensions and Exemption Requests](#)

### **Notice: February 23, 2018**

Please review the Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Nate.

### **Notice: February 22, 2018**

Please review the Disaster Exceptions/Exemptions for Medicare Certified Providers memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to the December California Wildfires (FEMA [DR-4353](#)).

**Notice: September 28, 2017**

Please review the Hurricane Maria - Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Maria.

**Notice: September 14, 2017**

Please review the Hurricane Irma - Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Irma.

**Notice: August 31, 2017**

Please review the Hurricane Harvey - Disaster Exceptions/Exemptions for Medicare Certified Providers Affected by Severe Storms and Flooding memo located in the Download section below for additional information regarding the data reporting exceptions and exemptions related to Hurricane Harvey.

[Hospice QRP Archives](#)

## Downloads

- [Memo-Applicability-of-Reporting-Requirements-for-Certain-Health-Care\\_Hurricane Nate\\_2018-02-08.pdf \(PDF\)](#)
- [2017-149-IP Exceptions Harvey FEMA TX LA Updated Final 10-12-17.pdf \(PDF\)](#)
- [Memo: Applicability of Reporting Requirements for Certain Health Care Facilities Affected by Hurricane Irma – Updated December 11, 2017 \(PDF\)](#)
- [Extraordinary Circumstances Extension due to Hurricane Matthew November \(PDF\)](#)
- [2017-133-IPListServe Exceptions Hurricane Maria FEMA PR VI Final 9.25.17.pdf \(PDF\)](#)
- [Memo-Applicability-of-Reporting-Requirements-for-Certain-Health-Care December Wildfires 2018-02-08.pdf \(PDF\)](#)
- [2018-172-IP\\_ListServe\\_Exceptions\\_Florence\\_FEMA\\_NC\\_SC\\_10.X.2018\\_FINAL\(508\) \(PDF\)](#)