

## What is a PRTF

A PRTF is any non-hospital facility with a provider agreement with a State Medicaid Agency to provide the inpatient services benefit to Medicaid-eligible individuals under the age of 21 (psych under 21 benefit). The facility must be accredited by JCAHO or any other accrediting organization with comparable standards recognized by the State. PRTFs must also meet the requirements in §441.151 through 441.182 of the CFR (see handout).

The regulatory authority for PRTFs includes Section 1864(a) of the Social Security Act (the Act), which authorizes the Secretary to enter into an agreement with the State. Authority also includes Section 1902(a)(9)(A), which authorizes the state agency or other appropriate medical agency, to be responsible for establishing and maintaining health standards, and Section 1902(a)(33)(B), licensing requirement.

## The Role of the PRTF

PRTFs must:

- Complete and send Attestation Statements to the State Medicaid Agency yearly, by July 21<sup>st</sup>.
- Comply with the Condition of Participation on the use of restraint and seclusion (§483.350 - §483.376).
- Report serious occurrences to the SMA and the State-designated P & A per 483.374(b). Serious occurrences include a resident's death, serious injury to a resident, suicide attempt. Report all deaths to the CMS RO office as required in 483.374(c) by close of business the next day.

## The Role of the State Medicaid Agency

The State Medicaid Agency (SMA) is ultimately responsible for Medicaid program administration. Each Medicaid agency enters into an interagency agreement with its certifying State Agency (SA), thereby establishing the determination-making function of the SA and providing for the application of Federal certification standards. The SMA must accept the SA's certification decisions as final; however, it should exercise its own determination whether to enter into an agreement with the PRTF. The SMA is responsible for reviewing certifications to assure that the SA adhered to procedural requirements. If the SMA disagrees with the SA's certification, it must first contact the SA to resolve the issue. If the issue cannot be resolved, the SMA contacts CMS-RO. The SMA is responsible for enforcement action if the PRTF is found out of compliance with the CoP.

The SMA receives the Attestation Statements from the PRTF. After receiving the statement, the SMA will assign a Medicare provider number to the facility.

The SMA must forward all reports of all serious occurrences to the SA.

#### The Role of the State Survey Agency

The SA is responsible for surveying the PRTFs in accordance with the PRTF protocol and guidelines. It is required to conduct 20 percent yearly validation surveys, including complaint surveys, regarding the improper use of restraint and seclusion.

After the SMA assigns a provider number to the facility, the SA will enter the information from the provider's attestation statement, as well as validation and complaint survey information, into ASPEN. It is the SA's responsibility to update information as necessary.

Because the psych under 21 benefit is an optional benefit, some States may not have this benefit in their state plan. Also, not all States will have a facility within its borders that can meet the needs of Medicaid beneficiaries and will have to transfer its beneficiaries to another State to receive the benefit. Therefore, if the benefit is not in the State plan, it is the responsibility of all affected States to develop a method of communication and agreement among themselves as to which SA will survey the PRTF.

#### The Role of CMS - CO

CMS is responsible for developing and disseminating the survey protocol (survey process and interpretive guidelines) to the surveyors and will continue to update this document as necessary. CMS-CO provides guidance to the SA/RO. CMS-CO conducts surveyor training.

CMS-CO has the responsibility of maintaining death report information provided by the RO.

#### The Role of CMS-RO

The role of the CMS-RO is to provide guidance to the States (Medicare and Medicaid sides) regarding the survey process. Also, the RO will receive ALL death information and forward that information to CMS-CO.

#### The Role of the P & A

The P & A receives reports on all serious occurrences from the PRTF as identified in 42 CFR §483.374(b). The P & A conducts its own investigations under separate statutory authority.