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CMS to increase rates in federal FY 2009, delay recalibration of RUGs – Medicare payment rates to nursing homes will increase by \$780 milli on next year, the Centers for Medicare & Medicaid Services (CMS) announced last week. The boost in payments is the result of a 3.4 percent increase in the annual market basket calculation of the cost of goods and services included in a skilled nursing facility stay. The price of the items in the basket is measured every year and Medicare payments are adjusted accordingly. CMS has delayed a recalibration of the payment categories as they continue to evaluate the comments received from the proposed rule. The Academy submitted comments opposing the recalibration, which would reduce rates by about 3.4 percent. More information on the market basket increase can found at the websites below.

CMS Skilled Nursing Facility webpage: <http://www.cms.hhs.gov/SNFPFS/>.

The copy of the final regulation is available at:

<http://www.cms.hhs.gov/SNFPFS/LSNFF/list.asp#TopOfPage>

The press release is available at: www.cms.hhs.gov/apps/media/press_releases.asp
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Administration suspends CON Study Committee – The Certificate of Need (CON) Study Committee has been indefinitely suspended as the Strickland administration under takes “a comprehensive review of issues impacting long-term care, including CON.” The committee had begun to debate the merits of the criteria used in assessing a CON application. Discussions also included changes to the criteria that would require a CON application, such as limiting a CON to only when beds are moved to a different location. Sources indicate that the administration was not prepared to make significant changes to the criteria of the CON program; therefore, the administration has suspended the committee until it can further evaluate the CON program and other long-term care issues. ([Back to top](#)).

CHAMPS Group Purchasing can save you money on almost any item you need

– With both the purchasing volume and vendor relationships necessary to leverage pricing that benefits all of its members, only CHAMPS Group Purchasing offers you a single source for truly effective cost management and customer service across the board. A full range of regional and national vendor relationships enables CHAMPS to provide you with a product selection unmatched in the industry. Their national partner, Premier, Inc., is one of the largest buying groups in the country, with over \$31 billion in volume and over 1,400 contracts. But you’ll receive benefits beyond access to a national program. If your facility has not yet taken a look at the most competitive foodservice

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Learn about F-Tag 315, network and have lunch for \$35 – Where can you learn about F-Tag 315, network and have lunch for \$35? At the upcoming regional education program “**Urinary Incontinence in Long-Term Care.**” This class will cover F-Tag 315 and a variety of incontinence issues. It will be held in Cleveland on Tuesday, September 16 at the Doubletree Hotel – Cleveland South in Independence. It has been approved for four (4) BENHA CEUs. The Ohio Board of Nursing accepts any BENHA approved course. Academy members may attend this program for only \$35 and non-members may attend for \$50. You can register online at

<http://www.oanh.org/educationalofferings.shtml>. For questions, contact [Dawn Kennedy](#).

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Only a few sleeping rooms at special rate still available for convention – If you haven't secured your sleeping room for the convention do so TODAY as only a few rooms remain available at the OANH discounted rate! The 2008 Annual Convention & Trade Show will be held Wednesday - Friday, Oct. 22-24, 2008 at the Hilton Columbus at Easton. This Hollywood themed gathering of Academy members provides great educational opportunities, lots of “glitz and glamour” and networking opportunities. To reserve your room at the Hilton or for more information, contact the Hilton at 800-HILTONS, or 614/414-5000, **Group Code: NRS**. Please mention that you are with The Ohio Academy of Nursing Homes. [\(Back to top\).](#)

Booths at OANH Trade Show offer more than exposure – As if showcasing your product or service to more than 600 attendees at the 2008 OANH Annual Convention & Trade Show isn't enough of a reason to exhibit, vendors at this annual Academy gathering get much more. Exhibitors can learn what's new in the industry, get CEU credits and network at social events – all at NO additional cost! Act quickly, as there only a few still available. This year the Hollywood themed convention will be held Wednesday - Friday, Oct. 22-24, 2008 at the Hilton Columbus at Easton. Booth prices are as follows:

- [Regular Booth Pricing](#)
OANH Member: \$975
Non-Member: \$1,075
- [Premium Booth Pricing](#)
Premium booths are only available to OANH members
\$1,275

You can view the Exhibitor Prospectus at <http://www.oanh.org/2007.shtml> or you can contact [Dawn Kennedy](#) to reserve your booth. [\(Back to top\).](#)

Trade associations meet with ODJFS to discuss settlements, billing concerns – The Academy, OHCA, and AOPHA, along with providers and consultants, met with the Ohio Department of Job and Family Services (ODJFS) earlier last week to discuss problems with outstanding settlements and current billing processes. Three major concerns were raised: (1) some claims have not been processed making the settlement process difficult, (2) counties are not processing eligibility properly (or quickly), and (3) short timeframe for exit conferences, some even being scheduled prior to the claims in question being processed. Cindy Dunne, of ECS Billing and Consulting, also raised several issues relating to problems in the billing process that have contributed to more claims being rejected. ODJFS was responsive to these issues. To deal with old claims that are clean but have not been processed, the state agreed to meet again and go through the details of these claims to determine why they are not getting processed. ODJFS also said that they were going to train county employees on how to use a new automated eligibility system that will be rolled out in the near future. They could not provide a timeline for the new system or training. ODJFS is also willing to reconsider the idea of allowing providers to hire their own social workers to process eligibility in

order to expedite the process. Finally, ODJFS noted that the 15 day response time for the exit conferences was to illicit a response from providers and to help speed up the process and remove the backlog of cases. Providers may request an extension and under most circumstances ODJFS will grant an extension. ([Back to top](#)).

SNF open door forum notes – Highlights from the latest CMS SNF Open Door Forum teleconference held August 7, 2008 are as follows:

- CMS has issued the rule for the SNF market basket update of 3.4 percent for next fiscal year. The rule also changes the wage index for several New England counties and makes some changes to conform with recently passed legislation.
- CMS is currently collecting data for the new uniform assessment for post -acute care settings (CARE) in three cities. The new assessment form is part of a payment reform demonstration. They will continue to roll-out CARE to seven other areas in October and later dates. The Akron/Canton market is an alternative market. For more information see www.pacdemo.rti.org
- Therapy cap exceptions have been extended. There is no change to the process. CMS held claims at the start of July because of the pending extension. Any claims filed in early July without the proper modifier may need to be resubmitted.
- MDS 3.0 is still scheduled to be implemented by October 2009. A new timeline has been posted and can be found at the following website: www.cms.hhs.gov/nursinghomequalityinits/25_nhqimds30.asp
- Two new categories of pressure ulcers will be included in MDS 3.0: suspected deep tissue injury and unstagable. Providers are reminded not to use the two new categories for MDS 2.0 and not to automatically upcode them to a stage IV.
- The Notice of Medicare Provider Noncoverage (CMS -10123) and the Detailed Explanation of Noncoverage (CMS-10124) are currently undergoing the re-approval process by the Office of Management and Budget (OMB). The expiration date on both notices has been extended until both forms have been renewed by OMB and made available to providers. QIOs have been instructed to disregard the expiration date and continue accepting both forms until further notice. CMS will also notify quality assurance regarding this issue to avoid any incorrect citations. For more information, see www.cms.hhs.gov/BNI/

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Update from CMS – The Centers for Medicare & Medicaid Services (CMS) recently released the following information of interest to long-term care providers:

- **Survey and Certification Memo**

08-31: Draft Interpretive Guidance for the Survey Process of the New End Stage Renal Disease (ESRD) Conditions for Coverage, published April 15, 2008, in the Federal Register. CMS invites your review of the Interpretive Guidance that will guide the survey process for the new ESRD Conditions for Coverage. Please submit your comments and rationale to the CMS mailbox at ESRDSurvey@cms.hhs.gov no later than 5 p.m. on August 18, 2008. [Download the zip file with all the attachments here.](#)

- **Hospital Interpretive Guidelines**

The advanced copy of the new Appendix A, which was distributed in S&C letter S&C 08-18, is effective and is to be used as the "official" version. The guidance in this letter matches the new ASPEN release. The direct website link for S&C 08-18 is:

www.cms.hhs.gov/SurveyCertificationGenInfo/downloads/SCLetter08-18.pdf. The Appendix A located in the electronic SOM was published in 2004 and is out of date and should not be used for guidance. CMS will update the electronic SOM at some point in the future.

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U.S. Senators push for long-term care background checks – Sens. Herb Kohl (D-WI) and Pete Domenici (R-NM) are urging Congress to pass the Patient Safety and Abuse Prevention Act (PSAP), which would provide funding to all 50 states to help create a nationwide infrastructure of background checks in the long-term care field. Over a three-year period, a background check pilot program prevented more than 9,500 convicted criminals and persons with a history of abuse from gaining employment in the long-term care sector, according to results of the program recently released by Kohl. The test program was carried out in seven states --Wisconsin, New Mexico, Alaska, Idaho, Illinois, Michigan and Nevada-between 2003 and 2006. Federal funds were available to the participating states for database investments, workforce background check units and additional training for long-term care providers. All seven states have said they plan to continue the program.

Funding for the PSAP Act has already been approved by the Senate in anticipation of the bill's passage. ([Back to top](#)).

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