

November 1, 2012

Mark your 2013 calendar!

LeadingAge Oregon Annual Conference
"Expanding the Possibilities"
May 19-22, 2013
Eagle Crest Resort, Redmond

STATE NEWS

DHS's 2013-15 Agency Request Budget (ARB) released Last week, the Department of Human Services (DHS) submitted its 2013-2015 Agency Request Budget (ARB) to the Division of Administrative Services (DAS) – a first step in the budget process that ultimately ends with legislative action at the end of the upcoming session. The [ARB budget summary](#), [revenue narrative/detail](#), [program prioritization](#) and statutorily required [10% reduction options](#) are posted on LeadingAge Oregon's website. Next DAS funding teams review and prioritize the ARBs, the Governor receives and reviews team recommendations and then builds and publishes the Governor's recommended budget (GRB) on December 1st. As always, the budget and impact to members and those they serve will be a major focus of LeadingAge Oregon's advocacy efforts in the upcoming session. We will keep you apprised and ask that you stay actively involved in grassroots advocacy throughout the process.

State schedules two webinars to review new nursing facility hospice payment process

The Department of Human Services has scheduled two webinars to review the new payment process for nursing facilities when residents are receiving hospice care. Per DHS, the Department has been out of compliance since 1995 with federal regulations that required state agencies to cease paying nursing facilities for care when a resident has elected hospice. Instead, payment must go directly to hospice providers. The first webinar, on Nov. 28 from 2:30 to 4:30 p.m., is on the Payment Process for Room and Board; the second webinar, on Nov. 29 from 9:00 to 11:00 a.m., will provide an Overview for Nursing Facilities and Hospice Organizations. [Register for Nov. 28](#). [Register for Nov. 29](#).

OHA decides to not pursue Medicare/Medicaid alignment demonstration

Since submitting Oregon's final proposal to align Medicare and Medicaid for dually eligible persons in May, Oregon Health Authority (OHA) staff has been working with CMS and Coordinated Care Organizations (CCOs) to assess whether the rates under the demonstration would be workable within Oregon's relatively unique market. OHA has determined that the demonstration is not likely to be financially viable for Oregon's CCOs and their affiliated Medicare Advantage plans. As [OHA's memo](#) to stakeholders explains, OHA will not to pursue a CMS Medicare/Medicaid Financial Alignment demonstration as it is currently constructed. Instead, it will explore the feasibility of a modified demonstration with CMS, focusing on delivery system reforms underway in CCOs paired with Medicare/Medicaid administrative alignments without the proposed financial component of the financial alignment demonstration.

LTC Version 3 comments submitted to DHS

LeadingAge Oregon submitted comments to Adult and People with Disabilities on LC 371, DHS's proposed legislation to develop a plan - commonly being referred "LTC 3.0" – to reform and modernize Oregon's long term care system. LeadingAge Oregon has had early and multiple briefings on LTC 3.0, most recently at the Fall Leadership Conference. Comments included initial feedback resulting from those meetings as well as some specific comments related to the language in LC 371. [Comments](#) are posted on LeadingAge Oregon's website.

State revising Contract RN Service rules

LeadingAge Oregon is participating in a rules advisory committee (RAC) formed to provide input on revision to OAR 411-048, Contract RN Service that allows DHS to contract with individual RNs to provide services to seniors and people with disabilities who are eligible to receive long term care services. The rules are being revised to also allow DHS to provide RN service through licensed in-home care agencies and home health agencies in order to provide access for eligible clients in areas where the service was not able to be provided due to insufficient number of contract RNs. The last of three RAC meetings will be held on November 13th with the intent to have the rules effective by March 2013. A [draft of the proposed rules](#) to date is posted on the LeadingAge Oregon website.

Oregon nursing facility health care worker vaccination rate drops slightly in 2011-2012

According to Oregon's [Healthcare Worker Influenza Vaccination Rate report](#), employee vaccination rates in nursing homes held rather steady in 2011-2012 at 51 percent, dropping just one percentage point from the 2010-2011 rate of 52 percent. Oregon hospitals did better, increasing their worker vaccination rate from 65 percent to 69 percent. Oregon nursing homes have not reached the bar set by the US Department of Health and Human Services Healthy People Program goal of 60 percent healthcare worker vaccination rate by 2010 (rising to 70 percent in 2015 and 90 percent in 2020). Oregon's Legislative Workgroup to increase healthcare worker influenza vaccination rates is continuing to pursue strategies to boost Oregon's rates, and recently circulated a press release about Rhode Island's adoption of regulations requiring flu shots for healthcare workers.

ALFs/RCFs must be able to produce documentation of waivers during survey

During the October Community-based Care News Hour, CBC Program Manager Dennett Taber said that surveyors are asking for documentation of any waivers or exceptions during ALF/RCF surveys. Facilities that don't have written documentation from SPD granting the waiver/exception should contact the CBC team for a review.

Taber noted that some exceptions may date back to when a facility was originally licensed. For instance, an exception may have been granted to allow two licensed entities, or a licensed entity and independent retirement apartments, to share a kitchen. Or two licensed entities, such as an RCF and a nursing facility, may have received an exception to share an administrator. Taber said that in the latter case, the exception is restricted to the administrator in place when the exception was granted, and the waiver request must be resubmitted if there is a change of administrator. And in all cases, written documentation must be produced.

Taber anticipates that some exceptions will be discontinued if it is determined that doing so would better protect the safety and welfare of the facility residents. She encourages any ALF or RCF that thinks they have an exception, but can't find written documentation, to contact the CBC team.

HUD/OHCS outline residual receipts offset procedure

Oregon affordable housing providers should have received an e-mail from Oregon Housing and Community Services outlining the procedure for using residual receipts accounts to pay all or part of their monthly Housing Assistance Payment. [Read an overview of the process](#). For those of you with questions about this or other HUD/OHCS policies and procedures, please plan to join us for our Housing Networking Meeting from 1:00 to 3:00 p.m. on Wednesday, Nov. 7 at the LeadingAge Oregon office in Tigard.

CBC facilities have new contacts for Medicaid contract questions

Due to changes at the Department of Human Services and Aging and People with Disabilities (APD), Oregon ALFs, RCFs and Memory Care Communities should now direct any questions related to Medicaid contracts (initial or renewal) to the Field Supports Unit. [Read more about this change](#). [Access a list of facilities](#) with their Medicaid contract contacts.

CBC team offers ALF/RCF compliance tips

The DHS Community-based Care team offered a few "compliance tips" during the recent CBC News Hour to give providers examples of why facilities were being cited more frequently in the areas of

Service Plans and Staff Training:

Service Plans:

- One resident had a 13 percent weight gain in six months, but the service plan did not address the issue
- Another facility had a resident exhibiting behavior issues but the service plan did not include instructions for staff on how to handle/manage the behaviors
- One service plan indicated that a transfer cane should be attached to a resident's bed in a "safe manner," but there were no instructions for staff on how to do this

Staff Training:

- Facilities must be able to provide documentation that they had staff demonstrate skills
- Online first aid trainings must be certified courses
- In-person first aid trainings must be taught by a certified instructor

Oregon Patient Safety Commission readies online nursing home reporting

The Oregon Patient Safety Commission hopes to have its new online nursing home reporting program up and running soon. The new program will make it easier for nursing homes to report their adverse events and for the commission to analyze them. It is also hoped that the system will boost nursing home reporting; currently, 77 percent of Oregon nursing homes participate in the adverse event reporting program, but only 7 percent submit reports (compared to 100 percent participation by Oregon hospitals, with 70 percent reporting).

Free infection prevention seminars offered for nursing facilities

The Oregon Patient Safety Commission is sponsoring infection prevention educational programs around the state that are free to nursing home staff and physicians. Presenters include Mary Post, the Commission's Infection Prevention Specialist, and consultant Pat Preston. Participants are encouraged to register early, as space is limited. Upcoming seminars include:

- November 30, Eugene
- February 20, Portland
- April 12, Medford
- May 17, Pendleton

[Click here for more information and registration.](#)

NFs and ALFs/RCFs reminded to seek approval before remodels, physical plant changes

Oregon's nursing homes and community-based care facilities are being reminded that they must seek approval from state agencies before embarking on a remodel, changing their capacity, or modifying their physical plant systems (heating, lighting, etc.). Read the [Nursing Facility](#) and [Community-based Care](#) alerts, and access an [approval process diagram](#).

In-wall heater requirements clarified for nursing homes

The Office of the State Fire Marshal has issued new guidance for Oregon nursing homes about the installation and use of in-wall heating units. [Read the guidance.](#)

Fifty percent of Oregon nurse educators plan to retire within 10 years

According to a newly released report from the Oregon Center for Nursing, about a quarter of Oregon's nurse faculty plan to retire within the next five years, and another quarter plan to retire within six to 10 years. The report also found that the median age of Oregon's nurse faculty is 56 years, and most express less satisfaction than practicing nurses in their careers, the number of hours they work (often more than 50 per week) and their income. The report says the picture painted by the report should be of "pressing concern" to Oregon's nursing professionals, educational leaders, employers and policymakers. [Read the report.](#)

Two upcoming conferences to focus on healthcare reform

Two conferences to be held in Oregon over the next few months will focus on healthcare policy and reform:

- The [State of Reform Health Policy Conference](#) on December 13 at the Oregon Convention Center is sponsored by a public affairs/communications firm based in Washington State.
- [Transforming Care 2013](#) will be held January 8-9 at the Oregon Convention Center, and is sponsored by CCO Oregon.

Oregon's Health Insurance Exchange to be called "Cover Oregon"

Oregon's Health Insurance Exchange, a marketplace to shop for health care coverage, will be named

"Cover Oregon," according to a recent announcement by the Oregon Health Insurance Exchange Corporation. The exchange, which will open October 1, 2013, will give individuals, families and small employers a one-stop shop to compare health insurance plans, access financial assistance to help pay for coverage, and enroll in a plan that best meets their needs. Coverage for plans purchased through Cover Oregon will begin on Jan. 1, 2014.

Oregon Center for Nursing plans annual leadership conference February 14 The Oregon Center for Nursing will host its annual leadership conference at the Holiday Inn in Wilsonville on Feb. 14. Entitled "Navigating the World of Nursing in Times of Change," the conference will include topics such as "Changing How We Care for Older Adults," "Managing Transitions and Change," and "The Future of Case Management." [Register for the conference.](#)

TB transmission topic of November 14 webinar

Oregon Patient Safety Commission has scheduled a webinar at 1:00 p.m. on November 14 on Preventing TB Transmission in Nursing Homes. Participants will learn how to perform an OSHA compliant annual TB risk assessment, develop a written TB infection control plan and implement a TB screening program for residents and staff. [Register for the webinar.](#)



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NATIONAL NEWS

"Big deal" Medicare settlement would expand access to skilled care

A proposed agreement in a national class action lawsuit would allow Medicare patients to keep receiving physical and occupational therapy and other skilled services at home or in a nursing home so they can remain stable. The settlement amounts to a significant change in Medicare coverage rules; up until now, a longstanding Medicare policy has required that patients show improvement to keep getting rehab. The maximum number of days skilled care is provided after a hospitalization would remain 100 days per benefit period, so the agreement does not mean that long-term care will be covered. Nonetheless, at last week's LeadingAge Annual Meeting, LeadingAge Vice President of Long-term Care Health Strategies Barbara Manard called the settlement a "big deal." [Read more about the lawsuit and settlement.](#)

Nursing homes warned to expect increased CMS Medicare audit activity

Speakers at the LeadingAge Annual Meeting said CMS is continuing to engage auditors to scrutinize nursing facility billing practices in light of larger-than-expected numbers of nursing home residents being placed in higher paying RUG codes. One Iowa-based LeadingAge member had to pay a \$675,000 settlement and enter into a "Corporate Integrity Agreement" with the federal government after engaging a new rehab company that increased their ultra high RUG days from zero in 2004 to 1100 days in 2006. (The nursing home has since filed a civil suit against the rehab company).

Nursing homes are encouraged to look at their Comparative Billing Reports to see how their rehab billing compares to others regionally and across the nation. Approximately 5,000 nursing homes across the country had Comparative Billing Reports faxed or mailed to them in August and September. If you did not receive one, you can call A-Plus at 1.888.313.9666 to see if one is available for your nursing facility. [See an example of a Comparative Billing Report.](#)

Corporate Integrity Agreement a helpful model for compliance programs

Nursing homes must implement a corporate compliance program by March 2013 according to a provision in the Affordable Care Act. Speakers at the LeadingAge Annual Meeting noted that the Corporate Integrity Agreement that Bethany Lutheran Home of Council Bluffs, Iowa entered into as a result of its settlement with the federal government (see news item above) is a helpful example of

compliance activities that will be expected of nursing facilities across the country. [Read the Bethany Lutheran Corporate Integrity Agreement.](#)

"Hand in Hand" dementia training DVDs to be mailed to nursing homes by December

According to a CMS representative at the LeadingAge Annual Meeting last week, the long-promised "Hand in Hand" training series on dementia and abuse prevention will be mailed to Medicare and Medicaid certified nursing homes no later than December. The training was developed to help nursing homes meet the Affordable Care Act requirement that requires CMS to ensure that nurse aides receive regular training on how to care for residents with dementia and preventing abuse. Information and training modules are posted on the [CMS website](#).

HUD seeks comments and best practices about smoke-free policies

HUD is asking is seeking comments, best practices and practical strategies from housing providers who have implemented smoke-free policies, those who have decided not to implement a smoke-free policy, and residents who have been impacted by these decisions. Deadline for comments is Nov. 5. [Read more.](#)

HUD publishes OCAFs for 2013

The Operating Cost Adjustment Factors (OCAF) for 2013 have been published for 2013 and are effective on Feb. 11. The OCAF for Oregon is 2.4 percent, with the national average 2.1 percent. [Access the 2013 OCAF announcement.](#)

REAC launches free multifamily online training

HUD's REAC has launched a new inspection online training, designed for multifamily owners/agents, that includes a certification of completion for those who register and complete the training. The course introduces participants to HUD's physical inspection protocol and procedures. [Access the online training.](#)

LEADINGAGE OREGON NEWS

LeadingAge associations partner on hoarding series

With reports across the country that senior care and housing providers must increasingly deal with hoarding behaviors, LeadingAge Oregon has partnered with LeadingAge Ohio and other state associations to offer a [two-part series](#) on dealing with cleanliness, clutter and hoarding issues. The Nov. 15 audioconference will deal with Identification and Assessment; the Dec. 13 audioconference will cover Communication and Intervention Strategies. [Read more about the series.](#) Please note you must register for each audioconference separately: [Register for Nov. 15.](#) [Register for Dec. 13.](#)

LeadingAge Oregon members receive discounted rate for AgeTech conference

LeadingAge Oregon is now a supporting organization of AgeTech California, which means that our members can receive discounted rates for the upcoming [AgeTech California Technology Conference and Exhibition](#) on **November 15** in Pasadena, CA. The conference will address many of the organizational cultural barriers to adopting new technologies that inhibit senior living and home care providers, and will offer guidance for the sometimes daunting investment decisions and implementation processes. The special discounted rate for members of supporting organizations is \$295 on or after 11/9. Use the promotional code ATC12 to receive the supporting organization discount.

Mark your calendars for upcoming educational programs!

See the [Education Page](#) on the LeadingAge Oregon website for fliers for the following educational workshops and webinars:

Nov. 15/Dec. 13: The Challenges of Cleanliness, Clutter and Hoarding with Older Adults and their Families (webinars)

Nov. 29: Dementia Care Education: Strategies for Understanding, Preventing and Managing Behavior Problems (Tigard)

Dec. 6-7: Navigating the MDS 3.0: RAI Training for Nursing Facility Staff