



**CORONAVIRUS MEMBER BRIEFING:  
OHA Testing Service help reminder, ADS payment extension, CMS Call Update  
August 26, 2020**

**OF SPECIAL NOTE**

**REMINDER: Contact OHA by Friday, Aug 28<sup>th</sup> If Needing Testing Services**

Facilities that want help with comprehensive testing services including the use of the state contracted labs, need to send an email to the OHA's Testing Branch at [ORES8.AOCTestingBranch@dhsoha.state.or.us](mailto:ORES8.AOCTestingBranch@dhsoha.state.or.us) no later than August 28<sup>th</sup> to get testing completed by September 30<sup>th</sup>.

**STATE NEWS**

**APD Reminds Providers of Mandatory Reporting of Abuse/Suspected Abuse**

Safety, Quality and Oversight (SOQ) reminded providers via [NF-20-115](#) of the requirement for facility employees to immediately report abuse and/or suspected abuse as defined in [OAR 411-085-0005\(2\)](#) to the Department of Human Services and to the local law enforcement agency first when the suspected abuse is believed to be a crime.

**APD Extends Sustainability Payments to Adult Day Service Providers**

In welcome news this week, Adult and People with Disabilities (APD) informed adult day service (ADS) providers that it will continue sustainability payments due to expire August 28 through December 31, 2020 and agreed to revisit the payment structure in December. APD also developed an alternative services program structure to allow ADS providers to provide critical services to eligible participants outside of the typical ADS center.

**NATIONAL NEWS**

**Yesterday's CMS Stakeholder Update Call**

The CMS Stakeholder Update Call announced at 1:30 and held at 3:30 yesterday was focused on the roll out of the 200-page interim final regulation on nursing home staff testing and CLIA reporting, but covered a range of other related topics of interest to nursing home providers. Issues covered are summarized below and the call is summarized in **this article**.

- **CMS Releases Interim Final Rule with Comments on Staff Testing, CLIA Reporting.** Yesterday afternoon CMS issued the rule it announced in July would be coming soon, mandating staff testing and CLIA reporting for nursing homes that

test. **Here is an article summarizing the highlights** that will be important for LeadingAge members. Effective immediately, nursing homes that fail to comply with requirements to report COVID-19 data to CDC through NHSN will be subject to:

1. Citation at the scope of widespread and severity of no actual harm with potential for more than minimal harm that is not immediate jeopardy (level “F”).
  2. Enforcement of a CMP of \$1,000 per non-compliance, and
  3. Increasing increments of \$500 per CMP for up to 12 instances of noncompliance.
- **New Infection Control Training.** CMS announced a new infection control training available to nursing homes: “CMS Targeted COVID-19 Training for Frontline Nursing Home Staff and Management”. **Read the announcement here.** This training is designed for both front-line staff and nursing home management, with separate training modules for each (5 for front-line staff, 10 for management). This self-paced training is available immediately on the **CMS Quality, Safety & Education portal** and certificates of completion will be available for each course completed. Additionally, subject matter experts from CMS and CDC will be available through bi-weekly webinars beginning this Thursday, August 27th and running through January 7th. [Members can register for these webinars here.](#)
  - **PPE Updates**
    1. **N95 distribution:** Because of increased production of N95s, 1.5 million will be shipped to nursing homes who need them (based on those who indicated need through NHSN reporting). Shipments will start this Thursday through next week.
    2. **Additionally, 14 million masks will be diverted from the national stockpile and sent to targeted markets.** These will be sent to the commercial marketplace, hospitals, nursing homes, first responders, trying to provide additional commercial volume for those facilities to purchase.
    3. It was noted that “We are fundamentally in a different place than we were back in March or April.” The country now has 120,000 ventilators ready to deploy. States now have a 30-60 day supply on hand of PPE.
  - **POC Testing.** Dr. Giroir reported on the call that 5,593 nursing homes had already received antigen testing machines. By the end of September, all nursing homes with CLIA waivers (about 14,800) will have the machines. He added that over two million test kits had also been shipped, enough to test each staff member at least twice and that nursing homes would be able to order additional tests (no details provided on that).
  - **FDA Recommendations for Diagnostic Tests for Screening Asymptomatic Individuals for COVID-19.** An **FDA FAQ** recommended that health care providers screening asymptomatic individuals should consider using a highly sensitive test, especially if rapid turnaround times are available. If highly sensitive tests aren’t available or turnaround times are slow, providers should use less sensitive point-of-care tests, even if they aren’t specifically authorized for this indication (commonly referred to as “off label”). “For congregate care settings, like nursing homes or similar settings, repeated use of rapid

point-of-care testing may be superior for overall infection control compared with less frequent, highly sensitive tests with prolonged turnaround times.” Negative test results should be considered in the context of clinical observations, patient history, and infection rates in the location or surrounding community and, if indicated, should be followed with a PCR test. **“It is not necessary to perform confirmatory high-sensitivity tests on individuals with negative antigen test or other point-of-care test results if they are obtained during routine screening or surveillance.”**

- **Provider Relief. Provider Relief.** CMS Administrator Seema Verma said there would be \$2.5 billion for “testing in nursing homes” that should start being available to nursing homes as early as tomorrow.
- **SNF VBP Performance Period Changes for FY2022.** The SNF Value-Based Payment program for FY2022 would normally be based upon readmission measure performance between October 1, 2019, and September 30, 2020. However, under the public health emergency, CMS granted an Extraordinary Circumstances Exceptions to reduce the reporting burden for the SNF VBP reporting requirements for January 1 through June 30, 2020. Therefore, under the interim final rule, CMS is changing the performance period for the SNF VBP program for FY2022 to include data from April 1, 2019 – 12/31/2019 plus July 1 through September 30, 2020. This provides a full 12 months of data for the calculations. Keep in mind, the SNF VBP program uses claims data so there is nothing new for SNFs to report.

## LEADINGAGE OREGON NEWS

### LeadingAge Oregon Virtual Conference

We are looking forward (so much!) to seeing you at our Virtual Conference. Conferences and workshops are such a valuable time to hear great speakers (get those CEUs) and network with colleagues as well as hear about the latest from our business partners. We'll be able to do all of those at our Virtual Conference. Learn more [here](#). Register [here](#). *It is quick and easy to register and is only \$250 for provider members!*