Current information as of 11-20-19 Disclaimer

Billing clinical regulatory-State and Federal

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| --- | --- | --- | --- | --- |
| **Regulation** | **Effective Date** | **Short Description** | **Responsible** | **Resource Link** |
| **Billing** |  |  |  |  |
| PDGM | 1-1-20 | Reference final rule and MHCA PDGM site. | Vickie | Link to MHCA PDGM Resources page: <https://www.mnhomecare.org/page/PDGM> Link to Final Rule (I’m not certain this is the best link … it’s to a PDF): <https://www.govinfo.gov/content/pkg/FR-2019-11-08/pdf/2019-24026.pdf> |
| Pended Authorization Request Response Time Changed |  |  | Vickie | <https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/minnesota-health-care-programs/provider-news/#7> |
| MBI |  |  | Vickie | CMS newsletter on MBI: <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/downloads/SE18006.pdf> |
| Changes to authorization for MMIS RN/LPN (Medicaid management information system) |  | * 1-1-20 MA, Waivers, ACG
* Authorizations/Service agreements will have to separate skilled nursing into RN and LPN codes-
* Case manager involvement in determining how many LPN visits will be needed.

Impact patients who currently receive MMIS if their S/A will span into next year. | Vickie |  |
| Potential Payor Changes- Medicare Advantage |  | Reminder- Talk to patients about open enrollment and changes related to open enrollment- Have a plan for verifying Reminder to watch for payor changes r/t open enrollmentMedicare Advantage – individual contracts will vary | Vickie |  |
| VA payor changes- Tri West |  |  | Karen |  |
| Changes with NGS – advanced directives as a condition of payment on POC |  |  | Karen | NGS:  |
| **Clinical** |  |  |  |  |
| Discharge Planning | 11-29-19 |  | Margaret |  |
| Maintenance Therapy- changes to therapy assistant’s role | 1-1-20 | Per CMS’s Final Rule, therapy assistants in home care settings will now be allowed to perform maintenance therapy under the Medicare home health benefit. This change will allow for consistency with SNFs, where assistants are currently allowed to perform maintenance therapy. | Sara | [https://www.cms.gov/newsroom/fact-sheets/cms-finalizes-calendar-year-2020-payment-and-policy-changes-home-health-agencies-and-calendar-year](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cms.gov_newsroom_fact-2Dsheets_cms-2Dfinalizes-2Dcalendar-2Dyear-2D2020-2Dpayment-2Dand-2Dpolicy-2Dchanges-2Dhome-2Dhealth-2Dagencies-2Dand-2Dcalendar-2Dyear&d=DwMGaQ&c=e0qWO0MXWFiQgGWE0UmXdQ&r=iJ6_dF3jBruIwonCj8bpSLe_20dGtY5W-uMyIpZ7wso&m=z6M8aU_Q0DCQ3eKvcy4w8r7ijlLPL_98KmYyyr1h7LM&s=kWTBOf_W09MEDFXSl5_wnY40EG6qVeaPaYa0lijxcys&e=) |
| OASIS D1 | 1-1-20 | Changes to the OASIS data set are being made 01/01/2020. The new data set is being referred to as OASIS-D1 and are effective for OASIS assessment with a M0090 date of 01/01/2020 or later. At this time, there is no revised version of the OASIS D1 Guidance Manual posted.  | Michelle | <https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/HomeHealthQualityInits/Downloads/OASIS-D1-Update-Memorandum_Revised_May-2019.pdf> |
| Infusion Therapy Benefit |  |  The final HH PPS policies included in the rule would result in a 1.3 percent increase ($250 million) in payments to HHAs in CY 2020 and also sets forth routine updates to the home infusion therapy payment rates for CY 2020 and finalizes payment provisions for home infusion therapy services for CY 2021 and subsequent years. | Michelle | <https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/Home-Infusion-Therapy/Overview><https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/HomeHealthPPS/Home-Health-Prospective-Payment-System-Regulations-and-Notices-Items/CMS-1711-FC> |
| Home Health Quality Reporting Program (HH QRP) updates – from final rule  | 1/1/2021 | * Adopted two new quality measures to assess transfer of health information (medication list)
* Finalizes removal of the Improvement in Pain Interfering with Activity Measure from HH QRP, but retained pain question on CAHPS survey (M1242 no longer required beginning 1/1/2021)
* Adopted several standardized patient assessment data elements (SPADEs) for 1/1/21 OASIS collection
 | Jen | <https://www.cms.gov/newsroom/fact-sheets/cms-finalizes-calendar-year-2020-payment-and-policy-changes-home-health-agencies-and-calendar-year><https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/HomeHealthQualityInits/Downloads/Proposed-HH-QRP-Items-Mockup-Effective-January-1-2021.pdf><https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/HomeHealthQualityInits/Downloads/Change-Table-for-Proposed-HH-QRP-Items-Effective-January-1-2021.pdf> |
| **Regulatory** |  |  |  |  |
| BOR’s | 11-30-19 | * Until 11/30/2019: previous BOR + Amendment for all patients
* Starting 12/1/2019: new BOR required. Surveyors will check for it starting 1/1/2020.

MHCA creating a consolidated version so HHAs only need 1 BOR for all patients – coming ASAP | Karen | <https://www.health.state.mn.us/facilities/regulation/billofrights/index.html> |
| Predatory Offender Reporting | Crimes committed on/after 8-1-19 | Home care provider to be notified of predatory offender status, if risk level assigned, fact sheet to be given to staff providing direct services to person – effective for crimes committed on/after 8/1/2019.Recommend having policy on accepting and providing care for these patients. | Karen Vickie | Karen will get link to MHCA document |
| iQIES | 1-1-20\*\*Obtain access to iQIES prior to 12/23/2019 in order to prevent delay in OASIS submission 1/1/2020 | The Quality Improvement and Evaluation System is changing to an internet-based system, known as iQIES. While the way data is submitted will not change, the site used is new. Certified Home Health Agencies will start using the new site 01/01/2020. To prepare, every agency needs to select one or two employees to register as the Provider Security Official(s), so the onboarding process can begin. Tips: PSOs should be prepared to provide personal information; it is recommended that you request the form be emailed to you for easier completion (using the online process can result in timing out and having to restart) | Karen | <https://qtso.cms.gov/news-and-updates/register-iqies-account-action-required> |
| “Efficiency” Final Rule | Provisions related to Home health effective 11/29/2019 | The final rule reduces burdensome requirements for home health agencies related to:* Patient Rights: Requirement for verbal (spoken) notification of all patient rights removed at §484.50(a)(3). More limited verbal notification revised at §484.50(c)(7). Written notification still required.
* Home Health Aide Services:

Allows competency assessment by observing aide perform skills on pseudo-patient as part of simulation at §484.80. Definitions for pseudo patient and simulation added to CoPs.Revises §484.80(h)(3) to require aide retraining and competency eval directly related to deficient skills (not full competency eval)* Emergency Preparedness: Decreased requirement to conduct review of emergency plan, policies and training from annually to every 2 years; revised testing requirements (annual full scale exercise with an additional exercise every 2 years) at §484.102
 | Jen | Omnibus Burden Reduction Final Rule CMS-3346-FMedicare and Medicaid Programs; Regulatory Provisions to Promote Program Efficiency, Transparency, and Burden Reduction;<https://s3.amazonaws.com/public-inspection.federalregister.gov/2019-20736.pdf><https://www.govinfo.gov/content/pkg/FR-2019-09-30/pdf/2019-20736.pdf> (51825-51826) |
| Electronic Visit Verification (EVV) | 1-1-23 | An Electronic Visit Verification (EVV) system will be required for Medicaid provided home health services in MN by 01/01/2023. EVV is a method of fraud control used to verify:* Type of service provided
* Date of service
* Location of service
* Person providing the service
* Person receiving the service
* Time service begins and ends
 | Jen | The 21st Century Cures Act, [Public Law 114–255 (PDF)](https://www.govinfo.gov/content/pkg/PLAW-114publ255/pdf/PLAW-114publ255.pdf)<https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/long-term-services-and-supports/evv/> |