



Indiana State
Department of Health

LONG TERM CARE NEWSLETTER

ISDH Long Term Care Newsletter
Issue 2016-16
November 9, 2016

Today's Issue:

- Expressive Arts in Long Term Care Course
- CMS Update
 - > SC 16-38-ALL - Final Rule Published - Emergency Preparedness
 - > SC 17-05-ALL - Implementation Plans for the Emergency Preparedness Regulation
 - > SC 16-40-NH/HHA/CLIA - Interim Final Rule Adjusting Civil Monetary Penalties
 - > SC 16-42-NH - Final Rule Published - Reform of Requirements for Long Term Care Facilities
 - > SC 17-03-NH - Training for Phase 1 Implementation of New Nursing Home Regulations
- Facility Bed and Occupancy Reports

Announcing the ISDH Expressive Arts in Long Term Care Course

The Indiana State Department of Health (ISDH) is excited to announce a new healthcare quality improvement project. The Expressive Arts in Long Term Care Project is a two year project designed to improve quality of life for nursing home residents. The ISDH is partnering with the [University of Indianapolis Center for Aging & Community](#) who will serve as Project Coordinators.

The University of Indianapolis has developed an Expressive Arts Train-the-Trainer Course. The Course will provide training on programs that engage nursing home residents. When residents are engaged, their moods, temperaments, appetites, and rest improve, all leading to an improved quality of life. This Course is intended to develop project leaders to implement expressive arts programs within long term care facilities. Visual arts, dance, drama, music, writing, and memoir are areas that will be covered during the training.

Registration is now open for the first Expressive Arts Train-the-Trainer Course. The course will be offered in Indianapolis:

Monday, Tuesday & Wednesday, November 14-16, and Tuesday, November 29, 2016
Primo Banquet Center, 2615 National Ave., Indianapolis, IN 46227

The cost to attend all four days is \$100 per person. Registration is limited to 50 participants.
[Click here for additional details and registration.](#)

Additional offerings of the course will be scheduled in 2017 for Indianapolis, Merrillville, Fort Wayne, Evansville and Columbus.

CMS Update

Final Rule Published - Emergency Preparedness

The CMS Emergency Preparedness Rule outlines the requirements for all providers and suppliers in regards to planning, preparing and training for emergency situations. The rule includes emergency plans, communication and accountability requirements as well as the training of staff. On September 8, 2016, the Federal Register posted the final rule [Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers](#). The regulation goes into effect on November 16, 2016. Additional information is available in [SC 16-38-ALL Notification of Final Rule Published - Emergency Preparedness](#).

Information on the Implementation Plans for the Emergency Preparedness Regulation

On September 16, 2016, the final rule on Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers was published. This rule affects all 17 providers and suppliers types eligible for participation in Medicare. The rule becomes effective on November 15, 2016. Health care providers and suppliers affected by this rule have until November 15, 2017, to implement the new requirements and be in full compliance. Surveyors will begin evaluating new requirements after November 15, 2017. Additional information is available in [SC 17-05-ALL Information on the Implementation Plans for the Emergency Preparedness Regulation](#).

Interim Final Rule (IFR) Adjusting Civil Monetary Penalties (CMPs)

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. The 2015 Act amends the Federal Civil Penalties Inflation Adjustment Act of 1990 which was enacted to improve the effectiveness of federal CMPs and to maintain their deterrent effect.

The Department of Health and Human Services (HHS) has published in the Federal Register an [Interim Final Rule \(IFR\)](#) which adjusts for inflation CMP amounts authorized under the Social Security Act. The rule establishes new section 45 CFR Part 102, which lists the new CMP amounts and ranges as adjusted by the rule for affected regulations. The changes are effective on September 6, 2016. These new CMP amounts apply to any CMP imposed on or after September 6, 2016 for noncompliant conduct that occurred on or after November 2, 2015, regardless of when the noncompliance was identified. Additional information is available in [SC 16-40-NH/HHA/CLIA Notice of Interim Final Rule \(IFR\) Adjusting Civil Monetary Penalties \(CMPs\)](#).

Final Rule Published - Reform of Requirements for Long Term Care Facilities

The published final rule revises the requirements that long term care facilities must meet to participate in the Medicare and Medicaid programs. The revisions to the requirements reflect substantial advances which have been made in the practice of service, quality of health care, and patient safety over the last several years.

The final rule [Reform of Requirements for Long Term Care Facilities](#) was published on October 4, 2016 and goes into effect on November 28, 2016. Long term care providers affected by this rule must comply and implement this regulation based on staggered effective dates which are outlined in the final rule. Additional information will be provided in further guidance through release of the interpretive guidelines and future Survey & Certification policy memorandums. Additional information is available in [SC 16-42-NH Notification of Final Rule Published- Reform of Requirements for Long-Term Care \(LTC\) Facilities](#).

Training for Phase 1 Implementation of New Nursing Home Regulations

The Department of Health and Human Services along with the Centers for Medicare & Medicaid Services (CMS) published a Reform of Requirements for Long Term Care Facilities on October 4, 2016. CMS recognizes the need to develop and provide training to long term care surveyors and providers related to the new regulations.

The training will contain information regarding [Phase 1 of the New Nursing Home Regulations](#) that will be effective starting November 28, 2016. This information will address the new language included in the New Nursing Home Regulations and how Phase 1 will be implemented via the State Operation Manual, F-tags, and survey process.

This online training will include information about Phase 1 of the New Nursing Home Regulations and will be available to all parties starting November 18, 2016.

To access click [Provider Training](#) which will be available until July 2017.

Facility Bed and Occupancy Report

The Indiana State Department of Health (ISDH) was mandated by the legislature to determine the nursing home occupancy rates for all counties for January 1 and July 1 of each year. This data is used for licensing purposes in determining eligibility of license. It is also important for disaster preparedness reasons in being able to quickly identify facilities and counties with available beds.

The statewide nursing home occupancy rate on July 1, 2016 was 75%. The report is based on actual bed census data on July 1, 2016 as reported to the ISDH by comprehensive care facilities.

Health Care Facility Data Reporting:

[Home Page](#)

Comprehensive Care Facility (Nursing Home):

[Bed Count Reports](#)

[Facility Count Reports](#)

[Occupancy Rate Reports](#)

Residential Care Facility:

Bed count and occupancy rate information was also obtained for residential care facilities. The statewide residential care facility occupancy rate on July 1, 2016 was 70% and is based on the number of licensed beds. Because facilities may not make all licensed beds available, the occupancy rate of available beds may be higher. The report is based on actual bed census data on July 1, 2016 as reported to the ISDH by residential care facilities.

[Facility and Bed Count Reports](#)

[Occupancy Rate Reports](#)