Legislation Introduced to Close Gap for Medicare Coverage in SNFs After Hospital Stays

Congressman Joe Courtney (D-CT), Congressman Glenn Thompson (R-PA) and Senator Sherrod Brown (D-OH) have reintroduced bipartisan legislation regarding observation status. Under current law, patients must have an inpatient stay in a short-term acute care hospital of at least three consecutive days in order for Medicare to pay for a subsequent stay in a skilled nursing facility (SNF). However, more and more patients are being held under "observation status," which is an outpatient designation. Patients who receive hospital care under "observation status" do not qualify for Medicare coverage in a SNF. These patients are either strapped with astronomical bills after their stays in a SNF or are forced to return home without receiving the treatment they needed. The Improving Access to Medicare Coverage Act of 2019 would count time spent under observation status towards the required three-day hospital stay, so patients can receive Medicare coverage in a SNF. Read more about the legislation here. Consumer Voice is a part of a coalition of more than 30 organizations that support the legislation.

In this Issue

- Legislation Introduced to Close Gap for Medicare Coverage in SNFs After Hospital Stays
- Materials Available for World Elder Abuse Awareness Day 2019 - June 15
- Consumer Voice Analysis of CMS Update on National Partnership to Improve Dementia Care in Nursing Homes
- Register for the Revised NORS Training Webinar Series
- Spotlight on Resources

Calendar of Events

- March: Developmental Disabilities Awareness Month
- May: Older Americans Month
Materials Available for World Elder Abuse Awareness Day 2019 - June 15

The National Center on Elder Abuse (NCEA) has unveiled the updated microsite for World Elder Abuse Awareness Day (WEAAD) including tools, tip sheets, ways to take action and many more WEAAD materials. NCEA, in collaboration with the National Clearinghouse on Abuse in Later Life (NCALL), announced this year’s theme - Lifting Up Voices - to serve as a platform for unifying elder justice and violence against women by sharing the experiences of older people around the world. NCALL and Terra Nova Films put together a series of videos - Lifting Up the Voices of Older Survivors - featuring older survivors sharing their stories and experiences of domestic violence, sexual assault, stalking and financial exploitation. Sign up for information about the video release here. Find other WEAAD resources on NCEA’s microsite.

Consumer Voice Analysis of CMS Update on the National Partnership to Improve Dementia Care in Nursing Homes

On March 1, 2019, the Centers for Medicare and Medicaid Services (CMS) released a memo providing updates and outlining a new enforcement approach related to the National Partnership to Improve Dementia Care in Nursing Homes. The memo notes that since 2011, National Partnership data has shown a reduction of 38.9% in the number of nursing home residents receiving antipsychotic medication; at the end of 2018, the rate was 14.6%. However, CMS has identified 1,500 nursing homes, or “late adopters,” that have not improved their antipsychotic medication usage rate for nursing home residents since Quarter 4 of 2011. CMS notified these facilities of their

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Last Week’s Most Popular Post:

Friday, March 15:
In response to encouragement from the nursing home industry, the Trump administration decreased fines against facilities found to have endangered or injured residents.

Last Week’s Most Popular Tweet:

Friday, March 8:
Updated hospital performance data is available on the Hospital Compare website.
identification in December 2017 and has set a goal for the facilities to decrease usage of antipsychotic medications by 15% for long-stay residents by the end of 2019.

As of January 2019, there are 235 late adopters that have been cited for noncompliance with federal regulations related to unnecessary medications or psychotropic medications two or more times since January 1, 2016. These late adopters have also not shown improvement in their long-term antipsychotic medication rates.

CMS is initiating a new enforcement approach for these facilities, and state agencies are directed to monitor these facilities and conduct on-site revisits to confirm if deficiencies have been corrected.

Consumer Voice welcomes the steps CMS is taking to increase its enforcement actions related to the use of antipsychotic medications. However, while we appreciate the enforcement actions CMS is initiating, we are concerned that they are too limited in scope. By focusing on only 235 of 1,500 facilities that have not reduced their antipsychotic usage rates, CMS is essentially giving a “free pass” to 1,265 nursing homes whose antipsychotic rates have not decreased. CMS’s approach is to encourage these facilities “to continue focusing on reducing use of antipsychotic medications.” Considering that seven years of “encouragement” have not been successful in reducing utilization rates, it seems that a different approach is necessary to effectuate change.

For more detailed information on this memo, see Consumer Voice’s recent Policy Break.

Register for the Revised NORS Training Webinar Series

Join the National Long-Term Care Ombudsman Resource Center (NORC) for Parts 2-4 of their five-part webinar series on the Revised National Ombudsman Reporting System (NORS). This series introduces the new training materials and helps programs prepare for the transition to new codes, definitions, and activities on October 1, 2019.

Long-Term Care Resources & News

- Opioids and Elder Abuse: A Disquieting Connection USC Center on Elder Mistreatment blog, March 4, 2019

Read past issues of The Voice here.

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The following three webinars will cover each part of the revised four-part training.

The recording and materials from the introductory webinar and Part I webinar are available [here](#). The Part II: Complaint Coding NORS training materials are [available now](#). Join NORC TODAY Wednesday, March 19th at 3:00pm ET for the third webinar in the series - Part II Complaint Coding Quiz and for the rest of the webinars in the series:

- Part III: Closing the Case – Verification, Referral, and Disposition April 30, 2019 3:00 – 4:30 ET
- Part IV: Activities May 29, 2019 3:00 – 4:30 ET.

Register [here](#) (you only need to register once to attend the full series). Missed today’s webinar? No problem. Webinar materials will be available, and you can still attend the rest of the series.

Spotlight on Resources

Consumer Voice and the National Ombudsman Resource Center have a multitude of resources available online covering a wide range of long-term care topics. Visit the Consumer Voice and NORC websites to explore all the available resources. Check out this week’s highlighted resource:

**Family Involvement in Nursing Home Care**
About The Voice

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Consumer Voice is the leading national voice representing consumers in issues related to long-term care, helping to ensure that consumers are empowered to advocate for themselves. We are a primary source of information and tools for consumers, families, caregivers, advocates and ombudsmen to help ensure quality care for the individual. Consumer Voice's mission is to represent consumers at the national level for quality long-term care, services and supports.

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