Governor Corbett Calls for New Course in Pennsylvania

On January 18 Pennsylvania’s newly-elected Governor Tom Corbett and the state’s new lieutenant governor Jim Cawley took the oath of office. After being sworn-in as Pennsylvania’s 46th governor in inaugural ceremonies held at the state Capitol, Governor Corbett addressed approximately 1,000 well-wishers and protesters and called for civility in public discussion. In his inaugural address Corbett emphasized his commitment to exercising fiscal discipline and establishing a responsible, limited government. He said that he and Lieutenant Governor Jim Cawley are seeking to chart a new course for Pennsylvania. He said that creativity and courage of Pennsylvanians would be required to pursue government reform. In his speech he repeated frequently the need for vision, courage, steadfastness and restraint. For a copy of the speech see http://www.state.pa.us/portal/server.pt/community/media/3013/home.

PA Legislation for Management of Concussions to be Reintroduced

On January 26 PA Representative Tim Briggs (D-149-Montgomery) and PA Senator Pat Browne (R-16-Lehigh) will be joining with representatives of the National Football League (NFL) and the Brain Injury Association of Pennsylvania (BIA-PA) at a news conference in the Main Capitol Rotunda to announce the introduction of the Safety in Youth Sports Act of 2011 legislation. The bills to be introduced in the 2011-2012 session in the House of Representatives as H.B. 200 and in the PA Senate as S.B. 200 aim to ensure that male and female student athletes who suffer concussions receive proper care and rest before they return to a game. The bills require that a player who shows symptoms of sustaining a concussion could not return to play until they are cleared by an appropriate medical professional. It also would require students and a parent or guardian to read and sign a concussion awareness sheet so they are better informed about injuries that may be sustained on the field. FMI: See www.pahouse.com/Briggs and http://senatorbrowne.com

Penalties Proposed for Neglect, Abuse of Care-Dependent Adults

On January 19 PA Representative Eugene DePasquale (D-95-York) announced that he would introduce legislation (HB 188) that would strengthen current law regarding the neglect and abuse of adults who rely on others for their basic needs. The legislation would make it a crime for a caretaker to neglect or abuse a care-dependent adult. Current law only provides penalties when neglect results in bodily injury. Under the bill, intentionally failing to provide treatment, care, goods or services necessary to preserve such an adult's health, safety or welfare would be considered a second-degree misdemeanor, carrying a two-year prison penalty and or a $5,000 fine. The offense would increase to a third-degree felony, with a seven-year prison term and or a $15,000 fine, when a course of conduct can be proven. If the neglect results in death, the offense would increase to a first-degree felony, which carries a 30-year prison sentence and or a $25,000 fine. Abusing a care-dependent person would be a first-degree misdemeanor, carrying a five-year prison sentence and or $10,000 fine. FMI: See http://www.pahouse.com/pr/095011911.asp.
DPW Sets Rate for Hospital Assessments for FY 2010-2011

In the January 22, 2011 edition of the *Pennsylvania Bulletin*, the PA Department of Public Welfare (DPW) provided final notice of the assessment percentage and the estimated aggregate impact on hospitals subject to the assessment under the Statewide Quality Care Assessment Program for Fiscal Year (FY) 2010-2011. Act 49 of 2010 authorizes DPW to impose a statewide hospital assessment on the net operating revenue of Pennsylvania licensed acute care hospitals, with some exclusions, as of July 1, 2010 and continuing for three years, beginning July 1, 2010 and ending June 30, 2013. The assessment is intended to raise approximately $500 million annually to enable DPW to make updates to its hospital inpatient payment system, to make changes to existing disproportionate share payments and supplemental payments, and to create new payments where applicable. In its notice DPW says that for FY 2010-2011 it is adjusting the assessment percentage rate under the Statewide Quality Care Assessment Program to 2.95% of net inpatient revenue of the covered hospitals. The adjustment was approved by the Governor. DPW says that it estimates the annual aggregate assessment fees for the non-exempt hospitals will total $547.050 million. FMI: See [www.pabulletin.com](http://www.pabulletin.com) and [http://www.dpw.state.pa.us/provider/hospitalassessmentinitiative/index.htm](http://www.dpw.state.pa.us/provider/hospitalassessmentinitiative/index.htm).

DPW to Increase Funds for Disproportionate Share Hospital Payments

In the January 22, 2011 edition of the *Pennsylvania Bulletin*, the PA Department of Public Welfare (DPW) announced its intent to increase the funding allocation for Fiscal Year (FY) 2010-2011 for an additional class of disproportionate share hospital (DSH) payments to certain qualifying hospitals that DPW determines provide a high volume of services to Medical Assistance (MA) eligible and low-income populations. The FY 2010-2011 fiscal impact of this allocation for the additional class of DSH payments is $5.168 million ($2.292 million in State General Funds). Written comments regarding this notice may be submitted by February 21 to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. FMI: See [www.pabulletin.com](http://www.pabulletin.com).

DPW Establishes DSH Payment for Qualifying Psychiatric Hospitals

In the January 22, 2011 edition of the *Pennsylvania Bulletin*, the PA Department of Public Welfare (DPW) announced its intent to establish an additional class of disproportionate share hospital (DSH) payments to certain qualifying acute care general hospitals that provide a high volume of Medical Assistance (MA) acute care and psychiatric services and incur significant uncompensated care costs. A hospital would be eligible for this additional class of disproportionate share payments if the hospital meets specified criteria, based on the fiscal year (FY) 2002-2003 MA Cost Report. The FY 2010-2011 fiscal impact of this additional class of DSH payments is $2.254 million ($1.000 million in State General Funds). Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice. FMI: See [www.pabulletin.com](http://www.pabulletin.com).
**PARF NEWS**

**Dateline: January 21, 2011**

**PARF Survey on SSA Employment Networks**

On January 19 PARF sent a survey to its PARF Vocational Division members seeking information on their interest and/or activity in serving as an Employment Network (EN) in the Social Security Administration (SSA) Ticket to Work and Self-Sufficiency Program. To provide members with additional information on opportunities for Employment Networks, PARF also circulated to the PARF Vocational Division background documents and contact information on the Ticket to Work program. The information to be collected through the EN member survey will be used to assist PARF in supporting the employment services programs of its members. All information will remain confidential. Only aggregate data and summary information will be released. Results of the PARF survey will be reviewed at the upcoming PARF Vocational Division meeting on Friday, February 18 from 10:00 a.m. to 1:00 pm at the Pennsylvania Medical Society, 777 East Park Drive, Harrisburg, PA. Completed surveys are to be returned by January 31 to PARF at parfmail@parf.org. FMI: Contact PARF at parfmail@parf.org.

**OLTL Prepared to License Assisted Living Residences**

On January 18 the licensing regulations for Assisted Living Residences became effective. The PA Office of Long-Term Living (OLTL) announced that it is now prepared to receive applications for Assisted Living Residences. OLTL has advised prospective applicants to review the Checklist for Initial Application for Assisted Living License for more information on licensing. OLTL also announced that various forms and publications have been published and are now available. These new forms can be accessed through the Assisted Living Website at [http://www.aging.state.pa.us/portal/server.pt/community/assisted_living/19891](http://www.aging.state.pa.us/portal/server.pt/community/assisted_living/19891). Numerous forms, including forms for applying for a license, reporting incidents, conducting assessments, seeing waivers, etc. are now available through the Assisted Living Website. Forms for applying for an Assisted Living License include: Application for Assisted Living Residence License, Instructions for Completion of the Application for Assisted Living Residence License, Civil Rights Compliance Questionnaire, and Checklist for Initial Application for Assisted Living License. In addition, there are Unusual Incident Reporting Forms, including: Assisted Living Residence Reportable Incidents and Conditions Form, Instructions for Completing ALR Incidents and Conditions Form, Reportable Incidents and Conditions, and Guidelines. Other forms include: Assisted Living Medical Evaluation Form (Mandatory Form), Resident Assessment Form (Sample Form), Resident Support Plan (Sample Form), Resident Support Plan Instructions, Request for a Waiver of Regulation (Mandatory Form), Waiver Process Information, Exceptions Request Form (Mandatory Form), Informed Consent Form (Sample Form), and Informed Consent Flowchart. OLTL says that two other forms are listed on the Assisted Living Forms web page but are not yet completed. They are: the Pre-Admission Assessment Form for Special Care Units and the Resident Rights Poster. OLTL said that there will be an announcement once they are published. Questions concerning the licensure process should be directed to the Office of Long-Term Living, Bureau of Provider Support, Division of Licensing at (717) 772-2570.
ODP Providers to Submit Audited Financial Statements

On January 21 the PA Department of Public Welfare (DPW) Office of Developmental Programs (ODP) issued ODP Announcement 012-11 to inform certain providers of the need to submit their Audited Financial Statements (AFS) within nine months from the close of the provider’s accounting period. If the end of the provider’s accounting period is June 30, the AFS is due no later than March 31, 2011. ODP says that audit requirements vary based on the provider’s level of expenditures. For more information on these requirements, ODP asks providers to refer to the Cost Report Instructions for the Consolidated and Person/Family Directed Supports Waiver Programs Version 6.0, dated June 29, 2010. All audits and supporting reconciliations should be uploaded to ODP via the Cost Report submission website. More information related to the audit submission timelines and rate development is provided in Cost Report Instructions (CRI), Section 3. Instructions for file naming conventions and uploading files are provided in Section 22 of the CRI. In addition to uploading audit files to the website, all A-133 or Title 45 audits associated with the ODP Waiver program must be sent electronically to Office of Comptroller Operations, Bureau of Audits (BOA), Special Audit Support Services, 555 Walnut St — 9th Floor, Harrisburg, PA 17101. RA-BOASingleAudit@state.pa.us. For instructions for submitting audits to BOA see www.budget.state.pa.us/portal/server.pt/community/single_audit_submissions/10670. E mail RA-auditconfirmation@state.pa.us.

ODP Rate Setting for FY 2011-12

On January 14 the PA Department of Public Welfare (DPW) Office of Developmental Programs (ODP) issued ODP Announcement 007-11 announcing that it has finalized various components of the FY 2011-2012 (Year 3) rate-setting methodology. ODP describes the processes that apply to the Year 3 rates, effective from July 1, 2011 through June 30, 2012 and indicates the rates will be based on expenses and utilization reported in approved Year 3 cost reports (e.g., based on the FY 2009-2010 historical expense period), subject to various adjustments. ODP says that consistent with the FY 2009-2010 and FY 2010-2011 rate setting processes, the Year 3 rates will be assigned at the MPI – Service Location Code – Procedure Code/Modifier level based on the process outlined in the announcement. FMI: See www.odpconsulting.net and search for ODP Announcement 007-11.

ODP Changes Rate for Mileage Reimbursement

On January 12 the Pennsylvania Department of Public Welfare (DPW) Office of Developmental Programs (ODP) issued ODP Alert 004-11 announcing its change in rate for mileage reimbursement. ODP said that based on the mileage reimbursement rate change implemented by the U.S. General Services Administration it changing its rate for reimbursement of transportation mile procedure code W7271 to $.51 per mile, effective January 1, 2011. ODP says that supports coordinators should ensure that individuals who receive the transportation mile service are notified of the change in the reimbursement rate for procedure code W7271. Supports coordinators need to complete critical revisions for Individual Support Plans that contain transportation mile procedure code W7271. The DPW web site www.dpw.state.pa.us is updated to reflect this change to the reimbursement rate for transportation mile. FMI: See www.odpconsulting.net.
ODP Responds to Requests on SC Training

On January 14 the PA Department of Public Welfare (DPW) Office of Developmental Programs (ODP) issued Informational Memo 009-11, in response to individual requests from Supports Coordinators (SCs) and SC Supervisors to re-open online SC Curriculum Courses identified as mandatory ODP trainings after the advertised closing date. ODP noted that these requests were specific to particular SCs or SC Supervisors who had not fulfilled all of the ODP training course requirements including the successful completion of the posttest within the required timeframe. The informational memo states that all online SC Curriculum Courses identified as ODP trainings are made available for three (3) months with the closing date included in the original announcement of the course opening. After this closing date, access to the course materials and activities are no longer available as part of the required SC Curriculum training. Additional information regarding ODP training requirements for waiver-funded SCs may be found in ODP Bulletin #001-10-13, “Supports Coordination Training Waiver Requirements”. FMI: See www.odpconsulting.net and search for ODP Announcement 009-11.

ODP Sets Schedule for AE Training

On January 21 the PA Department of Public Welfare (DPW) Office of Developmental Programs (ODP) issued an announcement on ODP Training Current and Planned Winter and Early Spring 2011 For Administrative Entities. ODP Announcement 011-11 provides a list of the current and planned ODP provided training for Winter-2011 and Spring-2011. Included are both required and professional development training opportunities for Administrative Entity (AE) Staff. ODP also issued Announcement 010-11, listing both required and professional development training opportunities for SCs and SC Supervisors. FMI: See www.odpconsulting.net.

Statewide Affordable Housing Training Needs Surveyed

The Statewide Affordable Housing Training Advisory Board has released the results of a survey that it conducted in October 2010 to assess the training needs of housing advocates, professionals, government officials, and others interested in affordable housing so that they may more effective in helping others to locating or increasing affordable, accessible, and permanent housing. The board circulated a survey to better understand the housing training needs statewide. The results of that survey will be reviewed at an upcoming meeting to be held on Wednesday, February 9, 2011 from 10:00AM – 3:30PM at the PA Child Welfare Training Program (403 East Winding Hill Road, Mechanicsburg, PA 17055). For a copy, contact PARF at parfmail@parf.org.

IRF PPS Pricer Updated

The FY2011 Inpatient Rehabilitation Facility (IRF) Prospective Payment System (PPS) PC Pricer has been updated with corrected date edit logic. The Centers for Medicare & Medicaid Services (CMS) said that the PC Pricer is ready for download from the CMS web page at http://www.cms.hhs.gov/PCPricer/06_IRF.asp. The Centers for Medicare & Medicaid Services has advised providers who use the IRF PPS PC Pricers to go to the web page and download the latest version of the 2011 Pricer, posted 01/14/11, in the Downloads section.
U.S. House of Representatives Votes to Repeal Affordable Care Act

On January 19 the U.S. House of Representatives voted to repeal the healthcare reform law enacted last year. After seven hours of debate repeating the arguments heard when Congress approved the reform bill last year, the House voted (245-189) to repeal the Affordable Care Act (245-189); three Democrats joined all 242 Republicans in voting for repeal. House Republicans said that they were keeping a pledge that they made in the mid-term election. In responding to the repeal effort Senate Democratic leaders said that they would prevent a vote in the Senate on the repeal measure. President Obama said he would veto a repeal of the law. Senate Republican leaders said that they would fight the healthcare law in other ways if repeal. On January 18 the U.S. Department of Health and Human Services (HHS) released a new analysis showing that, without the Affordable Care Act, up to 129 million non-elderly Americans who have some type of pre-existing health condition, like heart disease, high blood pressure, arthritis or cancer, would be at risk of losing health insurance when they need it most, or be denied coverage altogether. The HHS report can be found at www.HealthCare.gov/center/reports/preexisting.html, and more information about the new protections created by the Affordable Care Act and the Pre-existing Condition Insurance Plan can be found at www.HealthCare.gov.

HHS-OCR and RI DHS Sign Agreement on Improving Language Access Services

On January 21 the U.S. Department of Health and Human Services announced that the Rhode Island Department of Human Services (RIDHS) and HHS’ Office for Civil Rights (OCR) signed a resolution agreement, in which RIDHS agreed to make changes in its policies and procedures to ensure its compliance with civil rights laws and existing agreements with OCR to improve language access services for clients with limited English proficiency (LEP). Under the new resolution agreement, people with LEP — those who have a limited ability to read, write, speak, or understand English — will have improved access to RIDHS programs and services, including access to Medicaid and other social service programs. RIDHS will make meaningful efforts to create a training program for current and new employees that will educate staff on a provider’s duties under Title VI of the Civil Rights Act of 1964. A copy of the agreement between HHS and RIDHS can be found at www.hhs.gov/ocr/civilrights/activities/agreements/. FMI: Information about OCR enforcement activities is at www.hhs.gov/ocr.

AHRQ Draft Assessment on Health Risk Appraisal for Review Available

On January 19 the Agency for Healthcare Research and Quality's (AHRQ) Technology Assessment Program announced that it will be posting a draft technology assessment for review on January 26, 2011. This draft is entitled "Health Risk Appraisal." Anyone interested in reviewing the document should visit: http://www.ahrq.gov/clinic/ta/tareview.htm. The document will be available for review from 9:00 AM on January 26, 2011 to 5:00 PM on February 9, 2011. FMI: Questions should be directed to ahrqtap@ahrq.hhs.gov. See also http://www.cms.gov/coveragegeninfo/emailupdates/itemdetail.asp?itemid=CMS1243297.