Fly-In Visits to Washington, D.C. in November to Oppose Funding Cuts to IRFs

PARF members representing inpatient rehabilitation facilities will be convening in Washington, D.C. on November 1-2 for meetings with U.S. Senators and Representatives of the PA Congressional delegation. The meetings are being scheduled to present the case against funding reductions and any regulatory changes that will reduce access and support for inpatient rehabilitation services. The visits are in opposition to the proposal of President Obama to disproportionately cut inpatient rehabilitation hospitals and units (IRH/Us) in his deficit reduction recommendations. Of $320 billion President Obama has proposed for Medicare and Medicaid savings, $42 billion would come from post acute care providers. President Obama proposes to decrease market basket updates by 1.1% for IRFs in FYs 2014-2021; implement site neutral payments for three conditions plus those which the Secretary may designate; and reinstate of the 75% Rule compliance threshold. Meetings are being arranged on November 1 and on November 2. FMI: For more information contact PARF at parfmail@parf.org.

ODP Issues Final Revenue Targets and New Rates

On October 14 the PA DPW Office of Developmental Programs (ODP) began to issue to providers two separate letters: (a) last year’s revenue reconciliation letters with final revenue targets, including Period 3 adjustments and final reconciliation payments/recoupments and (b) this year’s rate letter, which states that last year’s rates will be continued through November 14, 2011, and new rates, with a 6% rate adjustment factor (RAF), will be effective on November 15, 2011. ODP indicated that providers will continue to be paid at last year’s (FY2011) rates, which were based on the Year 2 Cost Reports. ODP included a 2.5% rate adjustment factor (RAF) for the first four and a half months of this fiscal year. There will be no retroactive changes to rates paid from July 1st through November 14th of this fiscal year. Beginning on November 15th, rates will be based on the Year 3 Cost Reports and will include a 6% RAF. PARF is asking members to review the rate letters and share their analysis of the impact of the revenue reconciliation letter and the rate letter on their programs and the clients that they serve. PARF is asking that members report the results of their review to PARF by Friday, October 24 at 5:00 p.m.

ODP Clarifies Rules for Vocational Facilities on ISP for ICF-MR Residents

On October 14 the PA DPW Office of Developmental Programs (ODP) announced that it will not require programs or facilities licensed under 55 Pa. Code Chapters 2380 or 2390 to create or to prepare individual service plans (ISPs) for those individuals who reside in a non-state intermediate care facility for people with mental retardation (ICF/MR). The announcement was made in ODP Packet 136-11. ODP said that all other regulations will be applied during licensing visits and that current practice regarding support plans for individuals that reside in an ICF/MR but attend a 2380 or 2390 vocational facility should continue. The announcement includes a list of regulation citations that ODP will not monitor or measure during licensing inspections. FMI: See ODP Packet 136-11 at www.odpconsulting.net.
ODP Posts Materials on Year 4 Cost Reports

On October 13 the PA DPW Office of Developmental Programs (ODP) issued ODP Announcement 134-11 to waive direct service provider staff who have a role in completing cost reports for Year 4 (historical reporting period of Fiscal Year (FY) 2010/2011), administrative entity (AE) staff who will have a role in desk reviews of cost reports, and Office of Developmental Programs (ODP) regional staff that will have a role in overseeing the desk review process. The announcement informs them that frequently asked questions (FAQs) and training presentation materials have been posted to the Provider Information Center (PIC) located on the ODP Consulting website (http://pic.odpconsulting.net/). They include: Year 4 Cost Report FAQs, Year 4 Cost Report Website Training Audio Replay, and Year 4 Cost Report Website Training PowerPoint. FMI: See www.odpconsulting.net.

ODP Announces Waiver Policy Changes & Rate Development for FY 2011-12

On October 13 the PA DPW Office of Developmental Programs (ODP) issued a communication including policy updates and a summary of “considerations, program initiatives, news and announcements” concerning the Consolidated and Person/Family Directed Support (P/FDS) waivers. The communication describes how certain policy changes (which are reported by ODP to have been presented to a workgroup and which ODP describes as “under consideration”) would be implemented in establishing rates for Medicaid waiver services offered in FY 2011-2012. The policy changes that are described in the attached document would: (a) Reduce the total number of reimbursable therapeutic leave, medical leave, and permanent vacancy days per participant per fiscal year that are allowed to a maximum of sixty (60) calendar days per person per fiscal year with no exception process; and (b) eliminate the residential-ineligible-use-allowance-expense so that payment for the expense would no longer be provided. If more information is needed, please contact PARF at parfmail@parf.org.

Artists with Disabilities Honored at 2011 PA Art Exhibit at the Capitol

On October 13 as part of National Disability Employment Awareness Month PARF participated in a program celebrating the 2011 Pennsylvania Art Exhibit at the Capitol honoring the work of Pennsylvania Artists with Disabilities. The Pennsylvania artists featured in the exhibit are: Steve Collins (Erie), Ann Marie Geiger (Ambler), Stephanie Gwitt (Erie), Daniel Neufeld (Holland), Sal Panasci (Devon), Ron Vash (Erie), and Carl Yeager (Montgomeryville). The program featured remarks by Gary Alexander, Pennsylvania Secretary of Public Welfare and Chairperson of the Governor’s Cabinet for People with Disabilities. Secretary Alexander highlighted the achievement of the artists and the efforts at gaining equal employment opportunity for people with disabilities. Lee Steadman, Director, Center City Arts, Stairways Behavioral Health, Inc. in Erie, Pennsylvania commented on the need for self expression and the power of people with disabilities that is displayed in their artwork. Welcoming remarks were made by Ed Butler, Executive Director, Pennsylvania Governor’s Office for People with Disabilities. Closing comments were offered by Gene Bianco, PARF President. The art exhibited in the Capitol this year is made possible by the artists and the support offered by Bryn Mawr Rehabilitation Hospital, Moss Rehab and Stairways Behavioral Health. Their arts programs and exhibits make the arts accessible for the artists and communities throughout Pennsylvania. FMI: Contact PARF at parfmail@parf.org.
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PARF Reviews New Limits to Community Integration Services in PA Medicaid Waivers

On October 12 PARF Head Injury Committee held a special teleconference to discuss the impact of recent changes to service definition for community integration services announced recently by the PA Office of Long Term Living (OLTL). PARF members identified numerous problems resulting from the changes on services to be provided to PA Medicaid waiver participants needing home and community based services, including community integration services. PARF members noted individuals with cognitive impairments would be uniquely and adversely impacted when the announced limits on community integration services are applied. PARF providers noted that the newly imposed limit of six-months of service does not recognize the nature of cognitive impairments. Providers are concerned with the sudden change in the rule, the difficulty in obtaining a suitable alternative service, the varying interpretations offered by service coordinators, the disruptions to service, and the consequence of the withdrawal of the service on current clients in the Medicaid waiver programs. On September 29 PA Office of Living Term Living (OLTL) issued the bulletin on the changes to the definition of community integration services and new limits on community integration services. The bulletin establishes changes to the COMMCARE, Independence and OBRA waivers and Specialized Services / Peer Counseling Evaluation of Durable Medical Equipment Grant Providers. Changes reflected in the bulletin went into effect on October 1, 2011 for new OLTL waiver participants --- and will go into effect on January 1, 2012 for participants with current approved ISPs. In order to assist service coordinators and waiver providers in implementing these changes, OLTL’s Bureau of Individual Support set up three informational webinars. FMI: If more information is needed, please contact PARF at parfmail@parf.org.

PARF Providers Invited to Participate in Customized Employment Training in PA

Via of the Lehigh Valley has extended an invitation to PARF member providers for customized employment training that it will be offering in up to three new regional locations during federal fiscal year 2012. The training (Thinking Outside the Box Store) will explore how to meld job seeker needs with those of employers and highlight career opportunities for individuals with significant disabilities. CRC credits are available. Via of the Lehigh Valley is working in partnership with Griffin-Hammis Associates to offer the customized employment training and technical assistance for up to three regional areas in Pennsylvania from October 2011 to September 2012. This training is offered as part of the Employment Reform Resource Project funded by the Pennsylvania Developmental Disabilities Council. Organizations participating in Thinking Outside the Box Store will have the opportunity to access up to $10,000 to support entrepreneurial job development. The training on customized employment offered through this project looks at the need for expansive relationships with nontraditional partners and the role inventiveness plays in our daily work life. The training explores customized employment strategies offering an entrepreneurial approach that often goes beyond traditional market-driven supported employment. PARF members are invited to learn more about the Employment Reform Resource Project at http://griffinhammis.typepad.com/employmentreformproject/. FMI: For more information contact PARF at parfmail@parf.org.
Highlights of Upcoming HCSIS Release 6.13.0 Released

The PA Department of Public Welfare has issued highlights of the upcoming HCSIS Release 6.13.0 which will be implemented on October 24, 2011. Highlights from the release include: Ability for OLTL users to access service notes from the Plan Service Details screen; Ability for ODP state and region roles to request and view SCO and Provider Performance Review Reports; Ability for specified BEIS users to delete the draft/in progress Evaluation Report(ER) and Plan; and, addition of three new screens for OMHSAS to be able to monitor and report consumer-level outcomes. For more information on these changes, refer to the HCSIS 6.13.0 Release Communication, which will be available in October under the HCSIS Information link on the Learning Management System (LMS).

DPW Announces Statewide EIM Implementation for OLTL Providers

The PA Office of Long Term Living (OLTL) will be implementing Enterprise Incident Management (EIM) statewide for providers serving under-60 waiver consumers on October 24, 2011. The following waiver/programs are included in the statewide implementation: AIDS Waiver; Act 150; Attendant Care; Commcare; Independence; and, ORA. OLTL providers serving Aging waiver consumers will implement EIM at a later date.

NAMI PA Annual Conference on October 27-30

The National Alliance on Mental Illness of Pennsylvania (NAMI PA) presents their annual conference “Promoting Health & Wellness: Managing Your Illness” on October 27 through October 30 at the Holiday Inn Harrisburg East, 4751 Lindle Road, Harrisburg. The Criminal Justice Symposium theme is: “Restorative Justice, Mental Illness and Recovery: A Model for the Criminal Justice System: Alternatives to Incarceration.”

FMI: See http://namipa.nami.org/.

Forensic Peer Support Training on December 5-7

A three-day Forensic Peer Support Training will be held on December 5-7, 2011 at the Holiday Inn in Grantville PA. The training is free. Participants are responsible for their own travel and hotel arrangements. The Pennsylvania Mental Health Consumers’ Association in partnership with Drexel University received a grant from the Pennsylvania Commission on Crime and Delinquency and the Office of Mental Health and Substance Abuse Services. Working together, they developed and presented the “Peer Support within the Criminal Justice System” train-the-trainer curriculum. A statewide network of trainers, most of whom are Certified Peer Specialists with lived experience in the criminal justice system and recovery, is now available to the behavioral health system and the people who use the services. These trainers will facilitate Peer Support within the Criminal Justice System Trainings in locations around Pennsylvania. For information contact: Liz Woodley, PMHCA Project Specialist, at (717)564-4930 or liz@pmhca.org.
CMS National Provider Call on PQR System & Electronic Prescribing on October 18

The Centers for Medicare and Medicaid Services (CMS) will host a National Provider Call on the Physician Quality Reporting System & Electronic Prescribing Incentive Program on October 18 from 1:30 pm to 3:00 pm Eastern Standard Time (EST). Please visit http://www.eventsvc.com/blhtechnologies/ to register for the session. Registration will close at 12:00 p.m. EST on October 18, or when available space has been filled. The presentation will be posted at least one day before the call at http://www.cms.gov/PQRS/04_CMSSponsoredCalls.asp in the “Downloads” section on the CMS website.

CMS Provider Call on Revalidation of Medicare Provider Enrollment on October 27

The Centers for Medicare and Medicaid Services (CMS) will hold a CMS National Provider Call on Revalidation of Medicare Provider Enrollment on October 27, 2011 from 12:30 pm to 2:00 pm Eastern Standard Time (EST). CMS will hold the National Provider Call to discuss the revalidation of Medicare provider enrollment information. Most providers and suppliers who are enrolled in the Medicare program will have to revalidate their enrollment which will be reviewed under the new risk screening criteria required by the Affordable Care Act Section 6401(a). Registration information will be announced in the “Spotlight” section of the page at http://www.CMS.gov/center/provider.asp

CMS Physicians, Nurses & Allied Health Professionals Open Door Forum on November 1

The Centers for Medicare and Medicaid Services (CMS) will hold a CMS Physicians, Nurses & Allied Health Professionals Open Door Forum on November 1, 2011 at 2:00 pm Eastern Standard Time (EST). CMS asks that participants dial in at least 15 minutes prior to call start time. To participate by phone-Dial: 1-800-837-1935& Reference Conference ID: 9389535. Persons participating by phone are not required to RSVP. TTY Communications Relay Services are available for the Hearing Impaired. For TTY services dial 7-1-1 or 1-800-855-2880. A Relay Communications Assistant will help.

CMS Home Health, Hospice, & DME Open Door Forum: on November 2

The Centers for Medicare and Medicaid Services (CMS) will hold a CMS Home Health, Hospice, & DME Open Door Forum: on November 2, 2011 at 2:00 pm Eastern Standard Time (EST). Please dial in at least 15 minutes prior to call start time. Registration for audio only streaming web forum will open on October 27, 2011. See www.cms.gov.
**PARF NEWS**  
**Dateline: October 14, 2011**

**HSS Fails to Find Way to Make CLASS Work**

On October 14 Secretary of Health and Human Services Kathleen Sebelius sent to Congressional leaders a report on the Community Living Assistance Services and Supports (CLASS) program, concluding that the agency has not found a way to make the CLASS program work. A blog authored by the Secretary is at [www.healthcare.gov](http://www.healthcare.gov). See the Huffington Post at [http://www.huffingtonpost.com/sec-kathleen-sebelius/the-class-program_b_1011270.html](http://www.huffingtonpost.com/sec-kathleen-sebelius/the-class-program_b_1011270.html). In her post Secretary Sebelius said that it was with the hope of giving Americans better choices that Congress included a voluntary long-term care insurance program called CLASS in last year's health care law. She said that when it became clear that most basic benefit plans wouldn't work, HHS looked at other possibilities but has not identified a way to make CLASS work at this time.


**CMS Issues Guidance on Use of Liability Medicare Set-Aside Arrangements**

On September 30 the Centers for Medicare and Medicaid Services (CMS) issued guidance on the use of Liability Medicare Set-Aside Arrangements (LMSA) related to liability insurance settlements and judgments. Legal experts maintain that the absence of any formal direction from CMS on the handling of LMSA has hindered settlement discussions and that the new guidance is relatively limited but still very helpful. The Guidance specifically addresses situations in which the Medicare beneficiary’s treating physician has certified in writing that treatment for an alleged injury or illness at issue has been completed and that no future medical treatment will be required. FMI: see [http://www.cozen.com/cozendocs/Outgoing/alerts/2011/HealthLaw_10_14_11.pdf](http://www.cozen.com/cozendocs/Outgoing/alerts/2011/HealthLaw_10_14_11.pdf). The Guidance is at [www.cms.gov/COBGenera](http://www.cms.gov/COBGenera)lInformation/Downloads/FutureMedicals.pdf.

**HHS OIG Asks New York to Refund $84 Million in Claims for Continuing Day Treatment**

On October 7 the U.S. Department of Health and Human Services (HHS) Office of the Inspector General (OIG) released its *Review of Medicaid Claims Submitted by Continuing Day Treatment Providers in New York State (A-02-09-01023)* HHS OIG found that the New York State Department of Health (DOH) did not claim Federal Medicaid reimbursement for continuing day treatment (CDT) services provided by nonhospital providers in the State in accordance with State requirements. The CDT program provides active treatment to Medicaid recipients designed to maintain or enhance current levels of functioning and skills, to maintain community living, and to develop self-awareness and self-esteem through the exploration and development of strengths and interests. Based on the sample results of its review, HHS OIG estimated that DOH improperly claimed $84.4 million in federal Medicaid reimbursement during the January 1, 2005, through December 31, 2008, audit period. FMI: For a copy of the HHS OIG report see [http://go.usa.gov/9UQ](http://go.usa.gov/9UQ). See [http://oig.hhs.gov/oas/reports/region2/20901023.pdf](http://oig.hhs.gov/oas/reports/region2/20901023.pdf).