August 18 Deadline for PARF 2012 Annual Conference

As preparations are made to attend the PARF 2012 Annual Conference to be held from Tuesday, September 18 to Friday, September 21, 2012, at the Nittany Lion Inn, State College, PA, those planning to attend the Conference must act this week to reserve a room at the Inn. Special Conference rates for lodging at the Nittany Lion Inn are in effect until 11:59 pm on Saturday, August 18. Please make arrangements for rooms as soon as possible. Space at the Nittany Lion Inn is limited. Special rates for lodging for conference participants are in effect only until 11:59 pm on Saturday, August 18, 2012. Registrants should identify themselves as a participant of the 2012 PARF Annual Conference (#PARI12B) to receive special rates. Hotel reservations should be made directly with the Nittany Lion Inn by calling 1-800-233-7505 or by visiting www.pshs.psu.edu/nittanylioninn. The 2012 PARF Annual Conference brochure and the Conference registration form are available at the PARF website at www.parf.org and on the PARF Conference webpage at http://www.parf.org/site2/?page_id=11. This year’s annual conference – Rehabilitation 2012: Challenges & Commitments – features three keynote presentations that open each day’s events, an annual meeting of PARF members, an awards luncheon and thirty-eight conference sessions. FMI: Contact PARF at parfeducation@parf.org.

DPW Announces Streamlining of Licensing Functions

On August 8 the PA Department of Public Welfare (DPW) issued a formal public notice announcing that it is consolidating the licensing functions of several of its program offices into a single administrative bureau within its Office of Administration. DPW said that the first phase of the initiative is currently underway and involves Licensing Management and Research (licensing databases and managerial support) and Adult Residential Licensing (personal care homes) – from the Office of Administration; Community Home, Family Living Home, Adult Training Facility, and Vocational Facility licensing – from the Office of Developmental Programs; Child Residential Licensing – from the Office of Children, Youth and Families, and Assisted Living licensing – from the Office of Long Term Living. DPW said that other department licensing functions will be included at later dates. FMI: See www.dpw.state.pa.us.

PA Disability Employment Summit

The PA Department of Public Welfare (DPW) and The Arc of Luzerne County announced this week the PA Disability Employment Summit. The summit will be held on October 4-6, 2012, in Hershey, PA. The goal of the event is to bring together business leaders, service providers, government agencies, and people with disabilities to discuss current employment opportunities available and ways the business community can be assisted on advancing diversity efforts to include people with disabilities as part of the workforce. There is no charge to attend the conference, but individuals must register. For more information or to register for the event, see www.padesummit.org. The event was developed with support from the Centers for Medicare & Medicaid Services (CMS) Medicaid Infrastructure Grant (CFDA#93.768).
OLTL Requires Provider Plans to Assure Compliance with Medicaid Waiver

On August 6 the PA DPW Office of Long-Term Living (OLTL) issued a formal request to its providers of residential and structured day program services asking that they submit to OLTL a detailed work plan in order to assure their compliance with new service requirements. OLTL noted that in October 2011 the Centers for Medicare and Medicaid Services (CMS) had approved OLTL revised service definitions for residential and structured day program services. As a condition of that approval all providers are to meet certain specifications and qualifications of the service definitions no later than July 1, 2014. That requirement is incorporated in OLTL’s Global Corrective Action Plan filed with CMS. OLTL said that in order to meet timeframes established in the Global CAP and determine which providers will or will not be able/willing to meet the new provider qualifications for two services – residential and structured day program, OLTL is requiring providers to develop a detailed work plan which outlines the steps each agency will take to ensure they are in compliance by July 1, 2014. Work plans must be submitted to Temeko Calhoun, c-tcalhoun@pa.gov no later than Friday, September 14, 2012. In its notice to providers OLTL included a provider compliance timeline which outlines the areas that must be addressed in each work plan. Also included are approved service definitions for Residential Habilitation and Structured Day Habilitation for the CommCare waiver; approved service definitions for Residential Habilitation and Structured Day Habilitation for the OBRA waiver; a copy of the letter that was sent to providers in December 2011 regarding the service definition changes; and a list of CARF resources. OLTL encourages providers to contact Virginia Brown at (717) 783-4510 or Ginny Rogers at (717) 783-6201 with questions or requests for additional information.

PA Meets Federal IDEA Requirements

On August 7 the PA Department of Education (PDE) announced that the Commonwealth of Pennsylvania has achieved the highest level rating possible under the Individuals with Disabilities Education Act (IDEA) according to a determination by the U.S. Department of Education. Among the seven (7) largest states ranked by the number of students with disabilities this year, Pennsylvania is the only large state to achieve the “meets requirements” status for five (5) of the past six (6) years as well as one (1) of 14 states to receive this determination. The PA Department of Education meets the requirements of IDEA Part B, which provides assistance for educating all children with disabilities. The PDE Federal Fiscal Year 2010 Annual Performance Report is at the Bureau of Special Education’s website. See http://www.portal.state.pa.us/portal/server.pt/community/special_education/7465/pa_part_b_state_performance_plan_for_2005-2012/508805.

Governor Corbett Signs Law Protecting Service Dogs

On August 8 PA Governor Tom Corbett ceremonially signed legislation that will offer help to service dogs and their owners. Sponsored by Representative John Evans (R-Erie), House Bill 165 imposes a criminal penalty upon the owner or co-owner of a dog that kills, maims or disfigures a service dog without provocation. The penalty includes fines of up to $5,000 and, if necessary, the veterinary or replacement costs of the service dog. Service dogs are specifically trained to assist individuals who have disabilities or other health-related concerns. To read the full text of the legislation, see the General Assembly’s website at www.legis.state.pa.us.
DPW Applies Co-Payments for MA Services to Children with Disabilities

In the August 11 edition of the Pennsylvania Bulletin, the PA Department of Public Welfare (DPW) published an amendment to the Commonwealth's Medicaid State Plan applying copayments for MA services provided to children with disabilities whose household income is above 200% of the Federal poverty income guidelines based on family size. Except for certain services and items, MA copayments will be applied to children with disabilities, who are under 18 years of age and whose household income is above 200% of the Federal Poverty Limit based on family size. DPW will determine family income based on the family's gross annual income, prorated for monthly periods. The notice lists the services that will have fixed copayments and copayments on a sliding scale based on the MA fee for the service. Copayments will be collected by the MA provider. The copayment amount will be deducted from the DPW payment to the provider. MA providers may not deny covered care or services, nor may they waive or reduce the copayment, because of an individual's inability to pay the copayment amount. The total aggregate amount of the copayments will not exceed 5% of the family's gross annual income, prorated and applied on a monthly basis. DPW intends to make these changes effective for dates of service on and after October 1, 2012, for the newly eligible beneficiaries and November 1, 2012, for current beneficiaries. Comments should be forwarded to the PA Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. FMI: See http://www.pabulletin.com/secure/data/vol42/42-32/1551.html. See www.pabulletin.com.

DPW Lists DSH Payments for FY2012

In the August 11 edition of the Pennsylvania Bulletin, the PA Department of Public Welfare (DPW) published a notice listing the names of each inpatient acute care general hospital, rehabilitation hospital and private psychiatric hospital qualifying for a disproportionate share hospital (DSH) payment and their respective DSH payment percentage for the period July 1, 2011, through June 30, 2012. The facilities eligible for DSH payments for the period July 1, 2011, through June 30, 2012, and their respective payment percentages are listed. Additional DSH payments that are made to inpatient facilities with a Medicaid inpatient utilization rate of not less than 1%, which have provided services to persons who have been determined to be low income by meeting the income and resource standards for the State's General Assistance Program, are also listed. The DSH payments made to hospitals rendering uncompensated care and experiencing significant revenue loss as a result of MA program revisions are also listed. FMI: See http://www.pabulletin.com/secure/data/vol42/42-32/1552.html. See www.pabulletin.com.

DPW Adds Growth Factors to Pharmacy Prior Authorization List

In the August 11 edition of the Pennsylvania Bulletin, the PA Department of Public Welfare (DPW) announced it will add growth factors to the Medical Assistance (MA) Program's list of services and items requiring prior authorization when designated as preferred on the DPW Preferred Drug List. DPW said that it will issue an MA Bulletin to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for preferred Growth Factors. Public comment regarding the notice should be sent to DPW Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120.
ODP Year-5 Cost Reports Not Required for Services on Fee Schedules

On August 8 the PA DPW Office of Developmental Programs (ODP) issued *ODP Announcement 065-12* to alert providers of waiver services about key requirements and timelines associated with the Year 5 Cost Report process. ODP noted that effective July 1, 2012, all non-residential services (excluding transportation trip) are established through a fee schedule and residential ineligible services are established as a Department established fee. Therefore, agencies that provide fee schedule services only will not submit a Year 5 cost report. Year 5 cost report forms and instructions, which are used to report historical data for the time period July 1, 2011 through June 30, 2012, are expected to be posted to the ODP Consulting website on or about August 31, 2012. ODP plans to conduct a training session for providers in September on the key cost report changes for Year 5. In addition, ODP anticipates the cost report submission deadline will be on or about November 1, 2012. A separate set of cost report forms and instructions to be used for transportation trip cost based services will be posted to the ODP Consulting web site at a later date. If you have any questions concerning the Year 5 cost report process, please contact the Rate Setting mailbox at: ra-ratesetting@pa.gov or to ODP Regional Fiscal Officers Reid Stewart at c- restewar@pa.gov or Agnes Rudolf at c-aruolf@pa.gov.

ODP Issues Form for Requesting Exception to Limits on Respite and AT

On August 10 the PA DPW Office of Developmental Programs issued *ODP Informational Packet 067-12* which addresses a waiver renewal implementation request for exceptions to established service limits or maximum number of service units and describes the process to request an exception to the established waiver service limits. In a summary statement ODP noted that the Consolidated and Person Family Directed Support (P/FDS) waivers, effective July 1, 2012, permit ODP to grant an exception to the established service limits for two services: respite and assistive technology. The newly released packet includes a form, the DP 1023 (dated 8/12) titled *Request for Exception to Established Service Limits or Maximum Number of Service Units*, which is to be used to request an exception for the services. The form, replaces the DP 1023 form, dated 5/10, and is effective immediately. See [www.odpconsulting.net](http://www.odpconsulting.net).

Webinar on PA Voter Identification Law on August 21

The Housing Alliance of PA, the Pennsylvania Association of Housing and Redevelopment Agencies (PAHRA) and the Pennsylvania Housing Finance Agency (PHFA) are offering a webinar on Pennsylvania’s new voter ID law. The webinar will review details on what identifications are approved to use at the polls and will advise housing advocates and providers how to inform their residents of changes in the law. The webinar will describe how ID challenges can be addressed within the affordable housing population. This special one-hour (or less) webinar will feature Department of State representatives and be held three (3) times: Thursday August 16th at 3:00 pm, Tuesday August 21st at 9:00 am, and Friday September 7th at 12:00 pm. The webinar is an interactive, online workshop with participants using the phone conference line to access audio and signing in to Ready Talk to access the visuals. Once the registration is completed, the host will send details on how to log in to Ready Talk and access the webinar. FMI: See [http://www.housingalliancepa.org/events](http://www.housingalliancepa.org/events).
CMS Allows States Flexibility in Adopting Medicaid Expansion

On August 6 the Centers for Medicare and Medicaid Services (CMS) announced that in light of the recent U.S. Supreme Court decision on the constitutionality of the Affordable Care Act (ACA) states will face no deadline for deciding when and if they will expand Medicaid under the Affordable Care Act (ACA). Although under the ACA Medicaid is set to expand to 133 percent of the federal poverty level in 2014, the Supreme Court decided that the federal government cannot withhold existing Medicaid funding for states that decline to expand their eligibility. In its announcement CMS also said that states that initially choose to participate could later drop that coverage. A state could initially expand its coverage to the ACA's new standards but then later choose to reduce it. A Government Accountability Office (GAO) report released last week concluded that states needed more information to assist in making their decision to expand their Medicaid programs under the Affordable Care Act (ACA). FMI: For a report on the CMS policy on Medicaid expansion see http://www.bna.com/cms-points-new-n12884911073/. For the GAO report see http://www.gao.gov/assets/600/593210.pdf.

CMS Adopts Operating Rules for Healthcare Electronic Funds Transfers


New Resources for Medicaid Managed Long Term Services and Supports

On August 6 Centers for Medicare & Medicaid Services (CMS) Center for Medicaid and CHIP Services (CMCS) announced the availability of two new resources on Medicaid managed long-term services and supports (MLTSS). The 2012 MLTSS Environmental Scan includes an inventory of all MLTSS programs that had been implemented as of June 2012, and a projection of future programs through January 2014. State-by-state results are included for current and projected programs. See http://www.medicaid.gov/mltss/ for the full report. In addition CMS is making available an online tool offering states guidance on program design, Medicaid authorities and other information relevant to the effective management of MLTSS. FMI: See http://www.medicaid.gov/mltss/.
**PARF NEWS**

Dateline: August 10, 2012

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**DMEPOS Competitive Bidding Program Round 1 Re Compete**

The Centers for Medicare & Medicaid Services (CMS) is required by law to re-compete contracts under the Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Competitive Bidding Program at least once every three years. The Round 1 Rebid contract period for product categories, except mail-order diabetic supplies, expires on December 31, 2013. CMS is conducting the Round 1 Re-compete competition for six product categories in the same competitive bidding areas as the Round 1 Rebid. DMEPOS suppliers can update their enrollment file via the internet-based Provider Enrollment, Chain and Ownership System (PECOS) or by using the July 11, 2011 version of the CMS-855S enrollment form. See the PECOS website at [https://pecos.cms.hhs.gov/pecos/login.do](https://pecos.cms.hhs.gov/pecos/login.do) or review the PECOS fact sheet. See also [http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/downloads/MedEnroll_PECOS_DMEPOS_FactSheet_ICN904283.pdf](http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/downloads/MedEnroll_PECOS_DMEPOS_FactSheet_ICN904283.pdf). Information and instructions on how to submit a change of information via the hardcopy CMS-855S enrollment form may be found in the Change of Information Guide on the NSC website. See the CBIC website [http://www.dmecompetitivebid.com/palmetto/cbic.nsf/DocsCat/Home](http://www.dmecompetitivebid.com/palmetto/cbic.nsf/DocsCat/Home) to subscribe to email updates and for the latest information about the DMEPOS Competitive Bidding Program. FMI: See [https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOS-Round-1-Recompete/index.html](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOS-Round-1-Recompete/index.html).

**New Independence at Home Demonstration Participants Announced**

On August 10 Centers for Medicare and Medicaid Services (CMS) announced 3 consortia of practices participating in the Independence at Home Demonstration. They are: Innovative Primary Senior Care LLC (Skokie, Illinois), Treasure Coast Healthcare, LLC (Stuart, Florida), and Virginia Commonwealth University Health System/Medical College of Virginia Hospitals and Physicians (Richmond, Virginia). Through the Independence at Home Demonstration, CMS is partnering with health care providers to test the effectiveness of providing chronically ill Medicare beneficiaries with primary care services in the home. In April CMS announced the names of individual practices selected to participate in the demonstration. CMS also allowed multiple practices to apply to participate in the demonstration as a consortium rather than as individual practices. FMI: See [http://innovation.cms.gov/initiatives/Independence-at-Home/](http://innovation.cms.gov/initiatives/Independence-at-Home/)

**GAO Calls for Improved Federal Coordination on Transition of Students with Disabilities**

On July 12 the U.S. Government Accountability Office (GAO) issued a report *Students with Disabilities: Better Federal Coordination Could Lessen Challenges in the Transition from High School (GAO-12-594).* In its report GAO addressed longstanding challenges of students with disabilities in accessing services that may assist them as they transition from high school into postsecondary education or the workforce—services such as tutoring, vocational training, and assistive technology. GAO recommends that Education, HHS, Labor, and SSA develop an interagency transition strategy that addresses (1) operating toward common outcome goals for transitioning youth; (2) increasing awareness of available transition services; and (3) assessing the effectiveness of their coordination efforts. All four agencies agreed with the recommendation. See [http://www.gao.gov/assets/600/592329.pdf](http://www.gao.gov/assets/600/592329.pdf). FMI: Contact Revae E. Moran at (202) 512-7215 or moran@gao.gov.
Veterans TBI Rehabilitative Services Improvements Act of 2011 Signed into Law

President Barack Obama signed into law legislation to improve rehabilitative services for veterans with traumatic brain injury (TBI). The Veterans' Traumatic Brain Injury Rehabilitative Services' Improvements Act of 2011, (S. 957 as amended) was part of a larger package to improve veterans' benefits (Sec 107 of H.R. 1627). The legislation clarifies the definition of rehabilitation and ensures that soldiers with traumatic brain injury receive a rehabilitation plan that focuses on physical restoration, mental health, independence, and quality of life. It requires the Department of Veterans Affairs to develop rehabilitation plans that stress improved physical, cognitive and vocational functioning in the long term. See www.whitehouse.gov.

Paolo del Vecchio to Direct SAMHSA Center for Mental Health Services

On August 9 the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) announced its selection of Paolo del Vecchio to serve as Director of SAMHSA's Center for Mental Health Services (CMHS). Prior to his appointment Paolo del Vecchio served CMHS in various capacities: as Acting Director, Associate Director for Consumer Affairs, and the Acting Director for the Office of External Liaison. He was the first Consumer Affairs Specialist at CNHS. Prior to joining SAMHSA, he worked for the Philadelphia Office of Mental Health in the areas of policy formulation and the planning of a comprehensive system of community-based mental health services addressing homelessness, HIV/AIDS, and other areas. FMI: See http://www.samhsa.gov/About/bio_delvecchio.aspx.

DOL Webinar on Emerging Technology & Employment of People with Disabilities

On Thursday, August 16 at 2:00pm EST the US Department of Labor (DOL) Office of Disability Employment Policy (ODEP) will host an accessible technology webcast entitled Accessibility and Emerging Technology – Keys to Improving the Employment of People with Disabilities. The webinar is part of the AT Works online educational series. During this free event, panelists will discuss their perspectives on the challenges and opportunities of emerging technologies, cloud computing and mobile applications in the workplace. The live webcast discussion features Kathleen Martinez, Assistant Secretary of Labor for Disability Employment Policy; Vint Cerf, Vice President and Chief Internet Evangelist at Google; Jim Tobias, President of Inclusive Technologies; and moderator Tom Temin, Anchor, Federal News Radio. Access the webcast at http://www.dol.gov/odep/topics/Technology.htm. This event will be live audio-captioned and will feature a real-time Twitter feed with the hash tag #ATworks. No registration is required. The webcast will be followed by an AT Works podcast on September 5, 2012 titled “Inspiring Innovation – Engaging Citizens in the Development of Accessible Workplace Technology.” FMI: See http://www.dol.gov/odep/topics/Technology.htm.