Dateline: May 31, 2013

PA House of Representatives to Open Floor Debate on State Budget on June 10

PA House Appropriations Committee members are scheduled to consider on June 3 the budget bill advanced by House Republican leaders (HB 1437). House members can review the bill and submit amendments prior to a June 10 deadline. The House plans to begin debate on June 10 on the amendments drafted to the bill. Meanwhile, PA Senate Democrats are expected to introduce their own proposed budget the first week of June. PCPA/PARF Capitol Day will be held on June 5 in Harrisburg. The meetings and the Noon rally scheduled for June 5 will be held while state budget negotiations are underway. To register, contact PARF at parfmail@parf.org. FMI: Contact PARF at parfmail@parf.org. (See related articles below on proposed budget plans and PARF/PCPA advocacy on key state budget issues.)

PA House of Representatives to Consider Budget Bill, Spending Less than Governor’s Plan

On May 29 PA House Republican leaders introduced a $28.3 billion budget bill (House Bill 1437) which would provide $578 million (2.1 percent) above the state budget for the current fiscal year, but $100 million less than what Governor Tom Corbett had proposed in February. HB 1437 is based on current law and does not factor in any policy changes proposed by the Governor and currently under discussion. Most line items were unchanged from the Governor’s proposed budget. The proposal does not include plans for increasing transportation funding, reforming the pension system, or changing the state liquor store system. It does not address expansion of Medicaid. For HB 1437 see www.legis.state.pa.us. A comparison of state funding to be provided by HB 1437 to the current available fiscal year funding is at http://www.pabudget.com/Display/SiteFiles/154/2013-14%20HRC%20Budget%20Proposal.pdf. See http://www.pahouse.gov/HACD/series/746/Printout_2013-14_HB1437_PN1884_052913.pdf See also http://www.pahouse.gov/HACD/ for more details. Pennsylvania Budget and Policy Center has posted its analysis of HB 1437 (“What You Need to Know about House Budget Plan”) at http://pennbpc.org/look-pa-house-republican-budget-plan.

PA Senate Democrats to Unveil FY2013-14 State Budget Plan

On May 31 the PA Senate Democrats announced that members of the Senate Democratic Caucus will hold a press conference to unveil their proposed FY 2013-14 budget bill. The press meeting will be held on Monday, June 3 at 10:00 a.m. in the Senate Democratic Caucus Room. FMI: See www.pasenate.com

PARF/PCPA Legislative Day in Harrisburg on June 5, Register Now!

PARF members are enrolling for the PARF and PCPA Capitol Day to be held on June 5 in Harrisburg. The noontime rally and meetings with legislators throughout the day are aimed at assuring adequate funding in next year’s state budget. The PCPA/PARF registration table will be in the Pennsylvania Capitol Main Rotunda and will be open from 8:30 a.m.to 3:30 p.m. Legislative visits should be scheduled throughout the day, except during the noon press conference/rally. A legislative press conference/rally will begin promptly at 12:00 p.m. PARF and PCPA are urging members to register today at http://www.mylps.com/PCPADOTH/tabid/879/Default.aspx. FMI: Contact PARF at parfmail@parf.org or Anne Leisure, PCPA Director of Legislative Affairs at anne@paproviders.org or 717-364-3280
PA House Budget Bill Offers $100M Less than Governor Corbett’s Plan

The House budget bill (HB 1437) announced on May 29 (see above) resets the terms of debate on the FY 2013-2014 state budget. The sponsors of the bill assume that current pension law and transportation laws will be maintained even though negotiations continue and any reforms agreed to may be incorporated in the final budget. In addition, the sponsors do not assume the expansion of Medicaid. Governor Corbett has not yet announced any decision whether or not to pursue the expansion. The federal-state negotiations over Medicaid expansion are ongoing. If the Governor decides to expand, legislators will revisit the budget priorities. There is no change in the bill to the current 20 Human Services Block Grant counties. While omitting these items that may have provided revenue, HB 1437 does provide for increases above the previous year and differs from the Governor’s proposed spending in several areas. Compared to current year’s spending, HB 1437 increases basic education funding by $100 million. It includes $7.2 million to restore funding in the Department of Health for health and disease related lines. As in Governor Corbett’s proposal, community mental health and the behavioral health services initiative (BHSI) as well as drug and alcohol programs are all flat funded. The appropriation for the intellectual disability waiver is increased by 11.6 percent, special pharmaceutical services by 7 percent, and autism intervention and services by 16.5 percent. HB 1437 also provides an additional $20 million for services to people on the Intellectual Disability Waiting List- the same amount that Governor Corbett had proposed. Most significant to providers of services to people with physical disabilities, including traumatic brain injury, HB 14347 provides less than was proposed by the Governor for Services to People with Disabilities (Independence, OBRA and COMMCARE). The Office of Long Term Living (OLTL) program would receive less than the Governor’s proposed increase (14.2% instead of 18.3%), cutting in half the Governor’s proposed initiative to serve additional 1,282 people. Also the House budget bill provides less for Attendant Care than Governor’s proposal (12.6% instead of 14.6%), cutting in half the Governor’s proposed initiative to serve an additional 400 people. Department of Labor & Industry OVR State/Federal Program, Supported Employment, CILs, and Assistive Technology programs are flat-funded and would receive the same amount as proposed by the Governor. FMI: See www.legis.state.pa.us for HB 1437. See http://www.pabudget.com/Display/SiteFiles/154/2013-14%20HRC%20Budget%20Proposal.pdf.

PA House Committees to Vote on Legislation on Human Services Block Grant

Two committees in the PA House of Representatives are setting the stage for a deciding on the expansion or elimination of the consolidated human services block grant program initiated by the Corbett administration. On June 3 the PA House Health Committee will consider legislation that would expand the human services block grant to thirty (30) counties. House Bill 461 is scheduled for consideration along with an amendment to expand the block grant to any willing county. PARF members are urged to contact their state representative to request that they reject any proposal for expansion of the block grant. Meanwhile, the PA House Human Services Committee will be considering legislation (House Bill 806) on June 4 that would end the consolidated human services block grant program and require separate and designated funding for programs. Sponsored by committee chair Representative Gene DiGirolamo (R-Bucks), HB806 would eliminate the human services block grant and allow counties the flexibility to reinvest leftover year-end funds back into those same services. The bill allows counties flexibility in using unexpended human services allocations and establishes a simplified and less costly method for counties to re-allocate these funds. PARF is urging members to contact legislators and ask them to support HB 806. FMI: See www.pahousegop.com to track progress on HB 461 and HB 806.
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J12 Open Meeting on Draft Local Coverage Determinations on June 11

On May 30 Novitas-Solutions announced that the next J12 Open Meeting will be held on Tuesday, June 11, 2013 at 1:30pm in Harrisburg, PA. Open meetings are available so that interested parties have the opportunity to present scientific, evidence-based information; professional consensus opinions; or any other relevant information regarding draft Local Coverage Determinations (LCDs). N-S notes that there is only one open meeting for the Medicare Administrative Contractor (MAC) Jurisdiction 12 Contract area. FMI: See https://www.novitas-solutions.com/policy/sessions.html

OMHSAS Mental Health Planning Council Meeting on June 6

On June 6 the PA Department of Public Welfare (DPW) Office of Mental Health and Substance Abuse Services (OMHSAS) will conduct its OMHSAS Mental Health Planning Council Meeting. The meeting is to be held at the DGS Annex Complex (formerly the Harrisburg State Hospital in Harrisburg, PA. The meeting will be composed of all day individual committee sessions from 10:00 a.m. to 3:00 p.m. Meetings will be held in accord with the following assignments: Children’s Committee in the Beechmont Building, Room 145 (Building 32); Adult Committee in the Chapel (Building 15); the Older Adult Committee at Clothes Tree (building 36). Council Information as well as directions and parking instructions (with a DGS Complex Map) are available by contacting PARF at parfmail@parf.org. FMI: See http://www.parecovery.org/omhsas_advisory_structure.shtml for additional information on each of the advisory committees, including membership, archived materials, and outcomes. For a map see http://www.parecovery.org/advisory_materials/DGS_Map_Parking.pdf.

OMHSAS Hosts Videoconferences to Prepare for PRS Licensure under New Regulation

In a notice on newly-published final regulations on psychiatric rehabilitation services in Pennsylvania, the PA DPW Office of Mental Health and Substance Abuse Services (OMHSAS) has announced that it has scheduled five (5) technical assistance (TA) videoconferences to be offered regionally during the month of June. The videoconferences will prepare the community for implementation of the final-form regulations on psychiatric rehabilitation. The regulations (55 Pa. Code Chapter 5230 Psychiatric Rehabilitation Services) were published in the Pennsylvania Bulletin (Volume 43, Number 19) on May 11, 2013. The regulations can be viewed online at http://www.pabulletin.com/secure/data/vol43/43-19/index.html Chapter 5230 takes effect August 9, 2013. All currently licensed providers are expected to come into compliance with Chapter 5230 by that date. The target audience for the videoconferences is PRS agency staff, counties, BH-MCO’s and key stakeholders. Each videoconference is scheduled for 90 minutes and will include time for question and answer at the end of each session. A videoconference is scheduled for each OMHSAS Field Office region and an additional videoconference is scheduled for Philadelphia county. OMHSAS regional field office staff will be available to answer questions during each regional videoconference. PARF members seeking instructions for participating in a regional videoconference sold contact PARF at parfmail@parf.org. A complete list of regional videoconference dates, times, and access information is also available from PARF.
ODP Issues ISP Review Checklist FAQ

On May 29 the PA DPW Office of Developmental Programs (ODP) issued ODP Announcement # 044-13 including a new FAQ document regarding the ISP Review Checklist - DP 1050 form entitled “ISP Review Checklist FAQ”. The document is located on the ODP Consulting website (www.odpconsulting.net). ODP recently issued two communications that focus on the ISP Review Checklist, DP 1050 form. On February, 28, 2013, ODP issued Informational Packet #020-13, titled “ISP Review Checklist (Replaces AE ISP Checklist) Waiver Service Requirements, Criteria, and Guidelines.” This communication introduced the ISP Review Checklist, DP 1050 form. On March 4, 2013, ODP released ODP Announcement #021-13 titled, ISP Review Checklist (replaces AE ISP Checklist) Course Now Available. This communication announced that the “ISP Review Checklist” course became available and provided direction on accessing the course. Since the release of these two communications and implementation of the ISP Review Checklist, ODP has received many inquiries via the ISP Inquiries Mailbox. To address the inquiries received, ODP developed the document titled, “ISP Review Checklist FAQ”. ODP says that updates will be made to the “ISP Review Checklist FAQ” document as more questions are received. ODP encourages stakeholders to continue submitting inquiries that apply to the ISP Review Checklist. Inquiries should be sent to the ISP Inquiries mailbox at ra-odpispinquiries@pa.gov.

OVR and BBVS to Host Blindness Awareness Expo

On May 31 the PA Department of Labor & Industry announced the Office of Vocational Rehabilitation (OVR) and the Bureau of Blindness and Visual Services (BBVS), along with the Advisory Committee for the Blind of Pennsylvania, will host the annual Blindness Awareness Expo at the Pennsylvania Capitol Complex on Tuesday, June 4, 2013. The theme of this year’s expo will be “Braille: Education, Employment, Equality.” The expo will focus on the importance of Braille and its link to literacy and employment. An awards ceremony will be held to recognize (a) students with visual impairments who have demonstrated academic excellence; (b) a Pennsylvania business that actively recruits and hires employees who are visually impaired; and (c) an organization or business that has made their products or services more accessible to individuals who are visually impaired. In addition, the expo will feature a vendor exhibition, focusing on Braille and other related technologies used in classrooms and the workplace. The Blindness Awareness Expo is free and open to the public. The awards ceremony will be held from 9 to 11 a.m. in the Keystone Atrium Building. Vendor exhibits will be held in the East Wing Rotunda of the Capitol from 11 a.m. to 2 p.m. FMI: Email bbvs@pa.gov or call 800-622-2842.

OT Board Adds NPs and PAs to List of Authorized Referring Health Care Providers

In the June 2, 2013 edition of the Pennsylvania Bulletin, the State Board of Occupational Therapy Education and Licensure published a final-form regulation adding certified registered nurse practitioners and licensed physician assistants to its list of authorized referring health care providers. The Occupational Therapy Practice Act originally provided that an occupational therapist could provide occupational therapy to an individual upon referral by a licensed physician, podiatrist or optometrist. Amendments approved and passed into law in July, 2012 (P. L. 1132, No. 138) (Act 138) expressly permitted licensed occupational therapists to accept referrals from certified registered nurse practitioners and physician assistants. FMI: Contact Judy Harner, State Board of Occupational Therapy Education and Licensure, P. O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-1389, ST-OCCUPATIONAL@state.pa.us.
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Social Security and Medicare Trustees Call for Immediate Reforms

On May 31 the Boards of Trustees for the Social Security and Medicare Trust Funds released its annual reports on Medicare and Social Security. The trustees reported that slower growth in spending is helping extend the life of Medicare’s hospital trust fund to 2026, two years beyond last year’s estimate. However, Social Security’s disability trust fund, which pays monthly benefits to disabled workers and their families, is expected to be exhausted by 2016. Social Security will begin to run out of money in 2033, nearly the same timeframe as predicted last year.

Noting that total Medicare expenditures were $574 billion in 2012, the trustees project that, under current law, expenditures will increase in future years at a somewhat faster pace than either aggregate workers’ earnings or the economy overall and that, as a percentage of GDP, they will increase from 3.6 percent in 2012 to 6.5 percent by 2087. The trustees say that if lawmakers continue to override the statutory decreases in physician fees and if the reduced price increases for other health services under Medicare are not sustained and do not take full effect in the long range, then Medicare spending would instead represent roughly 9.8 percent of GDP in 2087. The trustees conclude that growth of this magnitude, if realized, would place a strain on the national economy, workers, Medicare beneficiaries, and the federal budget. The trustees called for immediate action to address Medicare’s financial challenges and immediate consideration of further reforms. FMI: See http://capsules.kaiserhealthnews.org/index.php/2013/05/slowdown-in-medicare-funding-extends-trust-fund/. For a copy of the report see http://www.cms.gov/Research-Statistics-Data-and-Systems/Statistics-Trends-and-Reports/ReportsTrustFunds/Downloads/TR2013.pdf.

HHS, Labor and Treasury Release Final Rules on Employment-based Wellness Programs

On May 29 the U.S. Departments of Health and Human Services (HHS), Labor and the Treasury issued final rules on employment-based wellness programs. The final rules support workplace health promotion and prevention and participatory wellness programs and outline standards for non-discriminatory health-contingent wellness programs, which generally reward individuals who meet a specific standard related to their health. The final rules increase the maximum reward that may be offered under appropriately designed wellness programs, including outcome-based programs. The rules have raised concerns among advocates who represent people with chronic or severe illnesses as well as among some employers. The final rules will be effective for plan years beginning on or after January 1, 2014. FMI: To view final rules, see http://www.dol.gov/ebsa/. For comment on the rules see http://capsules.kaiserhealthnews.org/index.php/2013/05/final-rule-upholds-increased-rewards-penalties-for-wellness-participation/. See also http://www.kaiserhealthnews.org/

ODEP Disability Employment Data Webinar on June 6

On June 6, 2013 from 2:00 pm to 3:30 pm EDT, the U.S. Department of Labor's Office of Disability Employment Policy (ODEP) will present a webinar with Melissa Chiu, Chief of the Industry and Occupation Statistics Branch at the U.S. Census Bureau, discussing the recently released Disability Employment Tabulation 2008-2010. The Disability Employment Tabulation, sponsored by ODEP and the Office of Federal Contract Compliance Programs (OFCCP), provides data on disability employment in order to further education, research, and policy initiatives that improve employment opportunities and outcomes for people with disabilities. The webinar will show how to access the data in American Fact Finder. To register enter https://dolevents.webex.com/dolevents/onstage/g.php?d=747844857&t=a into your web browser and click the "Register" link. A confirmation message with all of the event details will be sent by email after registration. See also http://ipv6.dol.gov/ODEP/ under “What’s New.”
HHS OIG Spring 2013 Semiannual Report to Congress Available

The U.S. Department of Health & Human Services (HHS) Office of Inspector General (OIG) Spring 2013 Semiannual Report to Congress is now available electronically at http://go.usa.gov/bTv5. The Semiannual Report to Congress presents the OIG's most significant findings, recommendations, and activities for the period. This spring edition of the Semiannual Report to Congress covers October 1, 2012 to March 31, 2013. HHS OIG notes that historically about 80 percent of OIG's resources are directed to work related to Medicare and Medicaid. FMI: For more information on HHSD OIG activities see http://oig.hhs.gov

Outpatient Therapy Services Functional Reporting Testing Period Ending June 30

As required by section 3005(g) of the Middle Class Tax Relief and Jobs Creation Act (MCTRJCA) of 2012, the Centers for Medicare and Medicaid Services (CMS) implemented a new claims-based data collection system for outpatient therapy services. The system requires reporting of functional limitations with 42 new non-payable G-codes and 7 new modifiers on specified claims for physical therapy (PT), occupational therapy (OT) and speech-language pathology (SLP) services. The claims-based data collection system is effective for outpatient therapy services with dates of service on and after January 1, 2013. For functional reporting, a testing period is currently in effect until June 30, 2013. During the testing period, claims without the required G-codes and severity/complexity modifiers will continue to be processed and adjudicated by your carrier or Part B Medicare Administrative Contractor. Beginning April 1, a new Remittance Advice message has been alerting providers about missing information on select therapy claims. CMS is advising providers that institutional claims will not receive alert messages. Therapy claims with dates of service on or after July 1, 2013 that do not contain the required functional G-codes and corresponding modifiers will be returned or rejected, as applicable. CMS is encouraging providers to read the following MLN Matters® articles for more information: MM8166 – “Outpatient Therapy Functional Reporting Non-Compliance Alerts” at http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/Downloads/MM8166.pdf and MM8005 – “Implementing the Claims-Based Data Collection Requirement for Outpatient Therapy Services — Section 3005(g) of the Middle Class Tax Relief and Jobs Creation Act (MCTRJCA) of 2012” at http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/Downloads/MM8005.pdf

CMS Physicians, Nurses & Allied Health Professionals Open Door Forum on June 4

The next CMS Physicians, Nurses & Allied Health Professionals Open Door Forum is scheduled for Tuesday, June 4, 2013 at 2:00 PM Eastern Time (ET). The agenda for the session includes announcements and updates on place of service FAQs, health insurance marketplace; billing of Intensive Behavioral Therapy for Obesity in Group Settings; revalidation; the PECOS 7.12 release; ordering and referring; and ICD-10 implementation. CMS recommends that callers dial-in at least 15 minutes before call start time. To participate by phone: Dial: 1-800-837-1935 & Reference Conference ID: 78869207. 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. To access the encore presentation of the call, dial 1-855-859-2056 and enter Conference ID: 78869207. The encore recording will be accessible beginning 2 hours after the ODF and expires after 2 business days. For ODF schedule updates and the e-mailing list registration, see the CMS website at http://www.cms.gov/OpenDoorForums/. FMI: See http://www.cms.gov/Outreach-and-Education/Outreach/OpenDoorForums/ODF_pnahp.html.