

June 16, 2023

NHSN Adds Training for Update to COVID-19 Vaccination Modules

The NSHN Vaccination team will be hosting trainings to review important changes and information regarding reporting person-level resident and health care personnel COVID-19 vaccination data through the NHSN Long-Term Care (LTC) Facility Component.

These changes include an updated definition of up-to-date with the COVID-19 vaccines, as well as simplified reporting forms. These changes will be effective beginning in Quarter 3 2023 (June 26, 2023). The NHSN will be hosting trainings on two distinct topics:

([READ MORE](#))

CMS Creates a SNF 5-Claim Probe and Educate Review Webpage

CMS [recently announced](#) the start of the SNF 5-Claim Probe and Educate Review program. As part of the effort to lower the SNF improper payment rate, Medicare Administrative Contractors (MACs) will be reviewing a small number of claims for every Medicare-billing SNF in the country. The SNF will then be offered education to address any errors identified, helping them to avoid future claim denials and adjustments.

A new CMS webpage provides background information, Frequently Asked Questions (FAQs) and links to additional resources.

The 5-claim review strategy is like the current [Targeted Probe and Educate \(TPE\)](#) medical review strategy, in that it will include one on one provider education at the completion of a small sample of claim reviews. However, instead of the 1-3 rounds of review a provider receives through TPE, each SNF will undergo only 1 round of review as follows:

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Focus MDS Update of the Week

Changes to Section GG

Since their release on April 3, 2023, [MDS 3.0 version v1.8.11v2 final item sets](#) and [draft RAI guidance](#) were updated and substantial changes were made to several sections. AHCA has been focusing on a different section each week to highlight changes that members need to know. Changes to section GG include:

- Incorporation of four items from Section G (discontinued):
 - GG0115-Functional Limitation in Range of Motion
 - GG0120 Mobility Devices
 - GG0130I Personal Hygiene
 - GG0170FF Tub/Shower Transfer
- Revision of coding definitions for GG0100:
 - Updated coding definitions for *Independent* and *Dependent* to clarify that either the resident or the helper completed all the activities as well as updated the definition for *Need Some Help* to clarify that help was needed to complete any activities.
- Expansion of GG0130 and GG0170 to allow for data collection on all assessments:
 - Admission, quarterly, PPS, discharge, IPA, and Part A PPS discharges.

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Corporate Compliance Programs - DOJ Recent Changes

During speeches at the American Bar Association (ABA) National Institute on White Collar Crime, Deputy Attorney General Lisa Monaco, and other officials of the federal government, announced significant changes to the DOJ Evaluation of Corporate Compliance Programs. They also continued to emphasize the importance of effective and robust compliance policies. And they announced a Pilot Program on Compensation incentives and Claw Backs requiring companies to “develop compliance promoting criteria within its compensation and bonus systems.”

In evaluating a company’s compliance policies relating to identifying, reporting, investigating and remediating potential misconduct, prosecutors should now consider a company’s policies and procedures relating to messaging applications (including third-party encrypted messaging applications), ephemeral messages, other communication platforms and the use of personal devices. The intent is to require companies to adopt policies to preserve and produce these messages when investigated.

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Provider Use of 1099 Contractors

The United States Department of Labor (DOL) is scrutinizing the use of 1099 contractors to see if they should be salaried and hired as W-2 employees. In January of this year alone, the DOL announced nine settlements against health care sites and/or staffing agencies as a result of overtime violations. Five of those settlements involved nurses who were misclassified as 1099 contractors. This represents only a small percentage of the settlements the Department has obtained from enforcement of violations of the Fair Labor Standards Act.

Federal minimum wage and overtime requirements do not apply to 1099 contractors, hence the push to classify individuals as working in that category. The DOL is taking the position that staffing agencies, especially platforms used by workers seeking potential employment, misclassify their workers as 1099 independent contractors, instead of W-2 employees.

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Medicaid Spend-Down Limit Changes

Effective July 1, 2023, the Medicaid Resource (Spend-Down) Limit increased to \$5,726.00. Please click [here](#) for more information.

IMPORTANT: For Medicaid/Medicare certified facilities, F569 states the facility must notify each resident/legal guardian that receives Medicaid benefits when the amount in the resident's account reaches \$200 less than the SSI resource limit. This means certified facilities should notify the resident/legal guardian when the resident's personal funds are \$5,526.00 or higher.

If you have any questions, please contact Lynn Gilmore, Lead Auditor, at 573-508-4150.

2023 Provider Feedback Survey

The Section for Long-Term Care Regulation is again seeking input from providers. They are asking for your help in identifying areas in their Section where excellent customer service is provided and areas where they need to focus on improving their customer service experience. Please take a couple minutes to complete their [2023 Provider Feedback Survey](#) by **July 5, 2023**.

Podcast: Self-Care in Long-Term Care - Integrating Self-Compassion into Daily Routines

AHCA/NCAL's Self-Care in Long Term Care podcast series continues. Launched this month, the [sixth podcast](#) focuses on self-compassion and how to integrate it into daily routines through mindfulness, humanity, and self-kindness. The Self-Care in Long Term Care podcast series is comprised of short listening sessions that help build our proverbial toolboxes to reduce stress, burnout, fatigue and increase our resiliency.

The [first podcast](#) focused on why self-care is important and explored the power of "the pause." The [second podcast](#) explored the power of movement and the 4-7-8

breathing technique. The [third podcast](#) explored the power of getting outside and gratitude. The [fourth podcast](#) focused on positivity in self-care and how implementing “good things for good change” can expand your mind’s ability to recognize the positive events that happen every day and how they can improve your overall well-being. The [fifth podcast](#) focuses on self-compassion in preventing burnout, fatigue, and compassion fatigue.

You may access the entire podcast series through ahcancaLED [here](#). Podcasts are released each month, so stay tuned for more in this series.

AHCA Adds Several New Resources to ahcancaLED and Survey Preparedness Page

AHCA recently added several new resources to [ahcancaLED](#) and AHCA’s [Survey Preparedness page](#). Each of the newly added resources were developed to assist members in areas that have either been identified as focus areas by CMS or they have been identified as areas that deficiencies are being given more frequently throughout the nation. A description to each of the resources is listed below.

(READ MORE)

Important DHSS Update on PPE and Test Kit Supplies

The DHSS PPE Warehouse will end distribution of PPE items from the state cache on June 30, 2023. This change comes as the PHE ended on May 11, the supply chain has stabilized resulting in adequate stock at suppliers, and COVID cases/outbreaks trend downward. The State of Missouri plans to maintain a PPE cache for future public health emergencies and enhance overall healthcare preparedness. Facilities should prepare for June 30 by working with multiple vendors to procure supplies and maintain adequate stock that accounts for potential order or allocation delays. DHSS will continue to ship COVID antigen test kits and COVID/FLU antigen test kits as requested. For questions related to the end of PPE shipping, please reach out to sns@health.mo.gov.

2023 SLCR Annual Provider Meeting Topics - Dates & Locations

- **September 6, 2023:** Region 7
Location: Crowne Plaza St. Louis Airport, Bridgeton
- **September 7, 2023:** Region 2
Location: Drury Plaza Hotel & Convention Center, Cape Girardeau
- **September 13, 2023:** Region 1
Location: Oasis Hotel & Convention Center, Springfield

- **September 14, 2023:** Region 6
Location: Special Olympics Missouri, Jefferson City
 - **September 27, 2023:** Region 5
Location: Moberly Municipal Auditorium, Moberly
 - **October 4, 2023:** Region 4
Location: Stoney Creek Hotel, St. Joseph
 - **October 5, 2023:** Region 3
Location: Adams Pointe Conference Center, Blue Springs
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Health Education Unit Updates

The DHSS Health Education Unit is conducting Weekly Instructor Info Webinars/Q&A Meetups. These sessions will be held the same day and time each week - **every Tuesday at 2:00 pm**. Click this [link](#) to join these weekly meetings. If you have questions, call the Health Education Unit at 573-526-5686.

CNA Testing Events

All Regional dates are viewable on the online calendar at <https://mo.tmutest.com/calendar>. To help with scheduling your testing event, contact Headmaster a few days after the CNA course starts. **IMPORTANT** – these are not the only test sites available. If you need a different testing location, please call Headmaster D&S (1-800-393-8664) and ask for the Missouri Team.

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