



Indiana
Department
of
Health

Long-term Care **NEWSLETTER**

LTC Newsletter 2023-18
September 8, 2023

LTC Update:

- **CMS Proposal for Minimum Staffing Standards and Medicaid Payment Transparency Reporting**
- **Free Virtual Courses for Skilled Nursing Facility Personnel**
- **CMS Question and Answer Document for the Resident Assessment Instrument (RAI) Version 1.18.11 Changes**
- **IDOH Health Care Leadership Conference**

CMS Proposal for Minimum Staffing Standards and Medicaid Payment Transparency Reporting

Current Staffing Standards

Title 410 of the Indiana Administrative Code 16.2-3.1-17, Nursing Services, includes the following staffing requirements for nursing facilities:

- At least .5 HPRD of care from a licensed nurse, not including the Director of Nursing.
- An RN for at least eight consecutive days, seven days a week.

The Centers for Medicare and Medicaid Services (CMS) has required facilities to provide sufficient staffing to address the specific needs of their unique resident population based on the facility assessment and resident acuity levels (assessments and care plans). CMS has not previously mandated a specific ratio of residents to nursing staff.

CMS Proposed Minimum Staffing Standards

On September 1, 2023, CMS issued a nursing home staffing mandate [proposal](#). If finalized, the proposal calls for Medicare- and Medicaid-certified nursing homes to provide, at a minimum:

- A Registered Nurse (RN) on site 24/7.
- At least 0.55 hours (33 minutes) per resident day (HPRD) of care from a Registered Nurse. For example, a facility with 100 residents would be required to provide a total of 55 RN hours over the course of a day.
- At least 2.45 (2 hours and 27 minutes) HPRD of care from nurse aides. This means a nursing home with 100 residents would need roughly 10 nurse aides per 8-hour shift.

CMS also proposed updates to the facility assessment.

Staggered Implementation

The requirements are proposed to be implemented in phases:

- Phase 1 would require facilities located in urban and rural areas to comply with the facility assessment requirements 60 days after the publication date of the final rule.
- Phase 2 would require facilities located in urban areas to comply with the requirement for an RN onsite 24 hours and seven days/week *two years* after the publication date of the final rule. Rural areas would be required to comply within *three years*.
- Phase 3 would require facilities located in urban areas to comply with the minimum staffing requirements of 0.55 and 2.45 hours per resident day for RNs and NAs, respectively, *three years* after the publication date of the final rule. Rural areas would be required to comply within *five years*.

Medicaid Institutional Payment Transparency

The CMS proposal includes provisions to promote Medicaid institutional payment transparency.

- States will be required to report to CMS on the percentage of Medicaid payments for services in nursing facilities spent on compensation for direct care workers and support staff.
- Both states and CMS will be required to make the institutional payment information available on public-facing websites.

There will be a 60-day comment period for the notice of proposed rulemaking. Comments must be submitted to the Federal Register no later than November 6, 2023.

For More Information

The CMS Press Release is here: "[HHS Proposes Minimum Staffing Standards to Enhance Safety and Quality in Nursing Homes.](#)"

You can read the CMS Fact Sheet regarding the proposed requirements here: "[Medicare and Medicaid Programs: Minimum Staffing Standards for Long-term Care Facilities and Medicaid Institutional Payment Transparency Reporting.](#)"

The proposed rules, with instructions to submit comments, are here: [42 Code of Federal Regulations, Parts 438, 442, and 483.](#)

Free Virtual Courses for Skilled Nursing Facility Personnel

Center of Excellence for Behavioral Health in Nursing Facilities

The [Center of Excellence for Behavioral Health in Nursing Facilities](#) (COE-NF) was established by the Substance Abuse and Mental Health Services Administration (SAMHSA), in partnership with the Centers for Medicare and Medicaid Services (CMS). They specialize in four behavioral health topics that affect the quality of life for nursing facility residents: Co-occurring Disorders (COD), Serious Mental Illness (SMI), Substance Use Disorder (SUD), and Serious Emotional Disturbance (SED).

The COE-NF offers Certified Medicare and Medicaid Nursing Facility Staff a centralized resource hub with easy access to training, technical assistance and additional resources, at no cost. The COE-NF is currently offering four free, live, virtual training opportunities in September for all nursing facility staff. The topics will cover suicide prevention, addiction and more. The courses are:

- 9/14/23 – [Building a Better Suicide Risk Assessment: The Nuts and Bolts of the Columbia Protocol C-SSRS](#)
- 9/14/23 – [The Science of Addiction and Recovery Lived Experience Panel](#)
- 9/20/23 – [Person-Centered Care in Nursing Facilities: How to Make it Work](#)
- 9/28/23 – [Opioid Use Disorder Management in Nursing Facilities](#)

For more information, call 1-844-314-1433 or e-mail coeinfo@allianthealth.org.

To submit a request to inquire about substance use and/or mental health training options for your facility, complete the [inquiry form](#).

Reminder – IDOH and the University of Indianapolis Center for Aging and Community

The Indiana Department of Health (IDOH) and the University of Indianapolis Center for Aging & Community are offering free virtual courses for skilled nursing facility personnel in three subject areas relevant to the long-term care setting. The courses are:

- [Pressure Injury Prevention and Management in Long Term Care](#)
- [Abuse and Neglect Prevention in Long Term Care](#)

- [Emergency and Disaster Management in Long Term Care](#)

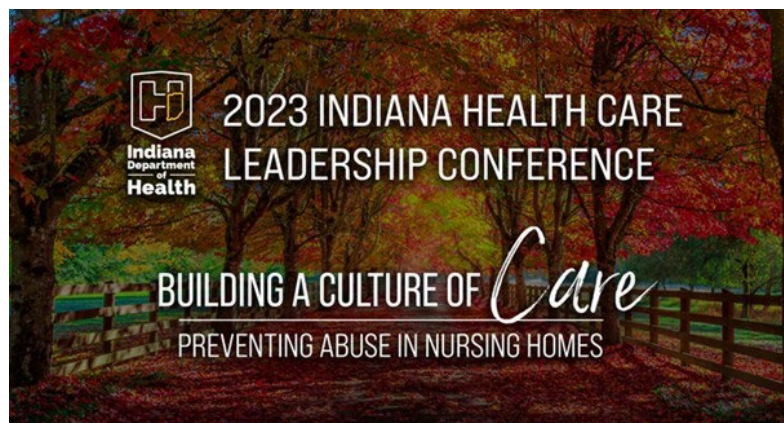
Each course offers an introduction to the subject area with specific long-term care examples. Courses will be offered in September and October and various other times through 2025. CEUs are available through the Indiana Department of Health for administrators and social workers. For more information and to register, select the linked course name above. These courses are funded through the IDOH using Civil Money Penalty funds. If you have any questions, please contact Lidia Dubicki at the University of Indianapolis Center for Aging & Community, ldubicki@uindy.edu.

CMS Question and Answer Document for Resident Assessment Instrument Version 1.18.11 Changes

On May 15, 2023, CMS made available a virtual training program to provide instruction on the updated guidance for the Skilled Nursing Facility (SNF) Minimum Data Set (MDS) 3.0 Resident Assessment Instrument (RAI) v1.18.11 Manual and Item Set. Following that instruction, CMS created a "Post-Event Q&A Document" that contains CMS's responses to questions asked throughout the training program.

The Q&A document, along with other CMS training and guidance for the October 2023 RAI, changes can be found on the CMS website at "[Skilled Nursing Facility \(SNF\) Quality Reporting Program \(QRP\) Training](#)." The Q&A document, specifically, can be found at the bottom of the page, under Downloads.

IDOH Health Care Leadership Conference



The 2023 IDOH Health Care Leadership Conference "Building a Culture of Care – Preventing Abuse in Nursing Homes" will be Tuesday, Oct. 17, in person at the Biltwell Event Center in Indianapolis. The conference will also be offered virtually. Licensed comprehensive care facilities, and representatives from long-term care provider organizations and interest groups are invited. All IDOH long-term

care surveyors will also attend. Registration is open at CultureOfCare2023.com.