



Nov. 18, 2021

News

Announcements

- **Vaccine Mandates Updates**
 - The Centers for Medicare and Medicaid Services (CMS) [mandate](#) remains on track for compliance, and all CMS-certified providers should work towards policy development and vaccination of all employees to ensure compliance with the Dec. 5 deadline for first doses. Acknowledging that this mandate has seen court cases filed, at this time it is not anticipated this will derail the rule. No changes to the OSHA rule have an effect on this rule.
 - CMS released [slides](#) from a stakeholder call, and you can also access the [video](#) of the call and CMS' [Frequently Asked Questions](#) document.
 - Check out this LeadingAge [resource](#) for the 10 COVID-19 vaccine policies that must be addressed in CMS rule.
 - The mandate issued by the Occupational Safety and Health Administration (OSHA) is completely separate and has been suspended. The compliance timeline will not be enforced or implemented at this time. Further action by the court will be necessary to reinstate the requirements and any future compliance timelines.
 - Questions on the mandates can be sent to [Georgia Goodman](#).
- **Understanding the CMS & OSHA Vaccine Mandates webinar** On Nov. 19, attorneys from Latsha, Davis and Marshall will discuss the applicability of CMS' and OSHA's Interim Final Rules to long-term care providers and the various levels of care within a CCRC. Register [here](#).
- **LeadingAge member briefing on vaccine mandate rules** Policy staff presented an overview for LeadingAge members of the [CMS Interim Final Omnibus COVID-19 Health Care Staff Vaccination rule](#) and the [OSHA Emergency Temporary Standard on Vaccination and Testing](#). [View](#) the slides and [listen](#) to the recording.
- **HHS monoclonal antibody distributions.** [Here](#) is the week's allocation of monoclonal antibodies by state from the federal COVID Response Team at the Department of Health and Human Services.

Nursing Homes

- **DHS introduces nursing facility quality incentive** The Pennsylvania Department of Human Services (DHS) hosted a webinar on their proposed quality incentive program. Although the [slides](#) outline details, including measures that will be used, timing of data, and payment, a number of questions remain unanswered. Please send your questions to [Georgia Goodman](#).
- **DOH discontinues reporting COVID-19 cases to 1-877-PA-Health** The Pennsylvania Department of Health [posted](#) on the [message board](#) that facilities are not required to call 1-877-PA-HEALTH or email the Bureau of Epidemiology staff with each new case of COVID identified in staff and residents.



- Bureau of Epidemiology staff may request line lists or updates about the status of an outbreak during specific situations.
- Facilities should continue to follow all other reporting mandates, including reporting to DOH's Event Reporting System (ERS), National Health Services Network (NHSN), Pennsylvania's National Electronic Disease Surveillance System (PA-NEDSS), or CMS. These requirements have not changed.
- **DOH posts LTC Requests for Exception** DOH posted the [Long-Term Care Nursing Facilities Requests for Exception](#) in the [Pennsylvania Bulletin](#).
- **Nurse aide training testing migrates to a new home** DOH posted information to the [message board](#) about [Credentia](#), the new website dedicated to nurse aid credentialing. Members who previously had concerns with the performance of the former platform, Pearson VUE, may want to consider using the new scheduling process. Please pass concerns on to [Georgia Goodman](#).

Federal

- **CMS issues significant changes in revised visitation memo** CMS issued a revised memo effective immediately that contains substantial changes to nursing home operations. CMS memo [QSO-20-39-NH-REVISED](#) revises visitation to eliminate most restrictions.
 - Visitation must now be permitted at any time for all residents, regardless of vaccination status, nursing home outbreak status, or implementation of transmission-based precautions.
 - Nursing homes may not restrict surveyors' access based on vaccination status nor is the nursing home permitted to ask for proof of vaccination as a condition of entry. This was posted to the DOH message board and was effective immediately upon publication of the QSO.
 - Click [here](#) to review the summary from LeadingAge.
- **CMS issues survey backlog guidance to surveyors** CMS memo [QSO-22-02-ALL](#) includes new guidance on survey activity.
 - Focused infection control (FIC) surveys will no longer be required based on outbreak. State survey agencies are still required to conduct focused infection control surveys at 20% of the nursing homes in the state during a fiscal year and may conduct additional FIC surveys when a concern arises, such as an outbreak in a nursing home with low vaccination rates.
 - Recertification surveys should continue but they are not required to make up those missed during survey reprioritization periods.
 - Recertification surveys can be prioritized based on potential risk to residents. Some surveyor tasks will temporarily be discretionary. The memo outlines levels of triage to assist surveyors in addressing a backlog of complaints and facility-reported incidents.
- **National Nursing Home Stakeholder Call on Nov. 23** Join CMS and the Centers for Disease Control and Prevention (CDC) for the National Nursing Home Stakeholder Call on Nov. 23.



During the call, subject matter experts will provide an overview of recently released guidance and address questions on trending matters. Please register in advance for this [Zoom call](#).

- **HRSA says nursing homes can wait to report infection control expenses until second reporting period** [According to LeadingAge \(national\)](#), the Health Resources and Services Administration (HRSA) indicated nursing facility providers can wait to report certain expenses for future reporting periods because “all PRF payments have overlapping periods of availability.” Specifically, Nursing Home Infection Control (NHIC) dollars can only be used for infection control expenses, and won’t be reported upon until the second and/or third reporting periods.
 - HRSA also clarified PRF general distribution funds can be used to cover COVID-19 staff testing costs that were not reimbursed or obligated to be reimbursed by another source. The first PRF reporting is due by the Nov. 30 deadline.
- **SNF Provider Preview Reports are available** The Skilled Nursing Facility (SNF) Provider Preview Reports have been updated and are now available for review. These reports contain provider performance scores on quality measures, which will be published on [Care Compare \(CCXP\)](#) and [Provider Data Catalog \(PDC\)](#) during the January 2022 refresh of the website. Providers have until Dec. 15 to review their performance data. Please visit the [CMS SNF QRP Public Reporting](#) website.

Assisted Living & Personal Care

- **DHS updates:**
 - **Compliance with fire drill regulations required immediately upon regulatory reinstatement** The Pennsylvania Department of Human Services (DHS) anticipates an imminent release ceasing the regulatory suspension of monthly fire drills. Personal care homes and assisted living residences (PCH/ALR) should conduct fire drills immediately to optimize compliance with the rule.
 - The regulatory reinstatement is understood to require the completion of a fire drill before the end of November, should the release of the reinstatement occur before then.
 - Facilities that have conducted compliant practice fire drills within the past month will be considered in compliance, if a survey is conducted.
 - If your PCH/ALR is experiencing an active COVID-19 outbreak, contact your field office for guidance on compliance.
 - **Visitation guidance continues to be reviewed** The issuance of [QSO-20-39-NH-REVISED](#) has caused additional delay in the development and release of this guidance. It was emphasized that PCHs/ALRs should continue to base decisions regarding visitation on what is best for their building, while facilitating visitation per building policy. Questions relating to austere measures on visitation policy should be directed to your field office.
 - Please contact [Georgia Goodman](#) with questions.



Housing

- **Reminder: CSP requests due Nov. 19** COVID-19 Supplemental Payment (CSP) [reimbursement requests](#) to the Department of Housing and Urban Development (HUD) or the Contract Administrator are due tomorrow. More information is available [here](#). Please reach out to [Juliana Bilowich](#) with questions.
- **New PHFA newsletter available** The Pennsylvania Housing Finance Agency (PHFA) has released their [November newsletter](#).
- **SAMHSA releases manual for serving older adults with serious mental illness** Recently, the Substance Abuse and Mental Health Services Administration (SAMHSA), an agency within the U.S. Department of Health and Human Services, released a clinical manual, "Psychosocial Interventions for Older Adults with Serious Mental Illness." The manual provides considerations and strategies for interdisciplinary teams, peer specialists, clinicians, RNs, behavioral health organizations, and policy makers to understand, select, and implement evidence-based interventions that support older adults with serious mental illness. Download the new manual [here](#).
- **Take the LeadingAge quarterly affordable housing survey** The information provided helps LeadingAge (national) advance their advocacy efforts with HUD and Congress, it helps them understand the materials that housing members need, and gives insights about your housing peers. Please [complete the survey](#) by Dec. 3.

HCBS

- **Community spread threshold rate guidance for adult day care and LIFE providers** Please monitor [community spread threshold rates](#). Providers should review and proceed with mitigation policies, if necessary. DHS also reminds facilities of a number of [safety precautions](#).