

Regulatory Committee Report for 2009
By Holly Swiger, Chair

The CHAPCA Regulatory Committee split into six workgroups to handle a substantial volume of work in 2009. The six groups included Survey and Certification, Payment Processes, Medi-Cal Managed Care, Hospice Inpatient Bed Regulation, CA Standards for Quality Hospice Care Review, and OSHPD Annual Utilization Report. We are pleased to report on our accomplishments, and on some of our plans for the future.

Survey & Certification – Holly Swiger, Acting Chair

This group monitored survey implementation of the new COPs by partnering with NHPCO to pilot the Survey Outcome Report to collect survey information from providers in California and Nevada. The survey launched in late October and is available at http://www.surveymonkey.com/s.aspx?sm=Irl4Ud937I3g3unCJ2CCyQ_3d_3d.

For 2010, the committee plans to monitor the new OSHPD statistics for LTC days to total days, and to reach out to the two associations serving the long term care industry in California to share survey concerns and combine advocacy as needed.

Payment Processes – Tina Runnels, Chair

This group developed relationships with Barbara Bailey, the new Chief of the Benefits, Waiver Analysis and Rates Division of DHCS, as well as with several of her staff through a series of meetings this year. This task force:

- Advocated for the Medi-Cal Bulletin to clarify hospice as an unlimited benefit;
- Monitored the Share of Cost audit process and asked DHCS to not proceed on the audit until the Error Payment Correction (EPC) run from 2004-06 was completed;
- Advocated for the completion of the annual retro rate adjustment for RAD Code 0658. This EPC was completed for rate adjustments from 2004 – 2009 with fund holds on the first payment. Further fund holds will not occur until the hospices validate the EPC;
- Monitored resolution of denial of Physician Code Z7108 for beneficiaries with only Medicare Part B coverage. This was corrected in their system for claims from 12/1/2007 forward. An EPC is being developed to reprocess these claims.

This workgroup also kept the membership up to date on NGS billing issues and on the MAC transition. The November Provider Bulletin raised new issues on payment that will be addressed at the next meeting with the DHCS. A continuing education program on Medi-CAL RAC audits is being considered for 2010.

Medi-Cal Managed Care – Mary Ann McGowan, Chair

This group clarified where providers are having authorization, documentation and payment problems with various managed care plans. A grid of issues per plan was developed and submitted to DHCS, who agreed to work on resolving the problems. The committee is drafting another All Plan Letter to clarify, add and re-enforce issues. We will then work together to educate and reinforce the correct way that hospice needs to function under managed care in California.

Hospice Inpatient Bed Regulation – Holly Swiger, Chair

AB 950 was introduced to add hospice licensed beds to statute. When the bill ran into opposition, a group of hospice inpatient care providers were convened to review the CLHF statute and regulations to determine what should be changed if we were to create a CLHF/Hospice category. These changes were then put into a one page summary that is currently being shared with the DPHS and the Senate Health Committee staff. Once it is established, the committee would develop any necessary changes for the *CHAPCA Standards for Quality Hospice Care*.

CA Standards for Quality Hospice Care – Paula Natale Kisgen, Chair

This group reviewed the California hospice standards in light of the new COPs. The final list of changes to the standards will be prioritized early in January 2010 at an all day meeting.

OSHPD Annual Utilization Report – Sarah McSpadden, Chair

This group worked with OSHPD and identified areas with poor data input as well as areas where charts are needed to add data collection items and/or clarify instructions. We developed the changes for 2009 and 2010 and communicated them during a session at the fall CHAPCA conference. We are planning a webinar with OSHPD in early 2010 for the people who actually complete the reports.

In addition to the efforts of the workgroups, the committee presented on hospice in the LTC environment and held an OSHPD presentation on the Annual Utilization Report in November at the annual CHAPCA conference.

Many thanks to the hardworking members of the committee: Mary Ann McGowan; Sarah McSpadden; Kristina Runnels; Paula Natale Kisgen; Robin Schmidt; Cindy Seawright; Vanessa Bengston; O.J. Riddle; Jodi Berlin; Andree Bouty; Betsy Gornet; Kathleen Jones; Richard Olsen; Cindy Cameron and Susan Plummer, and thanks to Sue Negreen, for her support of the committee' efforts.