



## 2021 CMR Program Statute Changes

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PROTECTING, MAINTAINING AND IMPROVING THE HEALTH OF ALL MINNESOTANS

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## 2021 Statute Change

- All Medicaid participating facilities are required to complete a Significant Change in Status Assessment (SCSA) when all skilled therapy or strict isolation services end.

- Statute Language:

The SCSA is required when:

- (i) all speech, occupational, and physical therapies have ended. The ARD of this assessment must be set on day eight after all therapy services have ended; and
  - (ii) isolation for an infectious disease has ended. The ARD of this assessment must be set on day 15 after isolation has ended;
- The new statute did not include exceptions for a resident's payer source or RUG classification.

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## The Intent

- The original intent of this requirement was to reclassify a resident into an appropriate Resource Utilization Group (RUG) based on the level of care and services provided after skilled therapy and strict isolation services end.

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## Why Was This Change Necessary?

- Consumer Driven
  - Resident and resident representative complaints regarding continuing to be billed for services they were no longer receiving.

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## Why a SCSA and not an OSA or EOT Assessment?

- Limitations in the software systems required to process assessments used for nursing home payment
- The different assessment types have different effective dates
- Care Planning Decisions

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## When is the SCSA Assessment Required?

- If the most recent OBRA assessment completed has a State Medicaid Billing (Z0200) of either:
  - A Rehab RUG classification, or
  - Isolation (O0100M2) was coded on the assessment

The SCSA must be completed when all therapy or isolation services end

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## Is the SCSA Required if no Rehab or ES1 Classification?

- If the resident's most recent OBRA assessment did not result in a State Medicaid Billing (Z0200) rehab classification (RAA, RAB, RAC, RAD, and RAE) the SCSA is not required when therapy ends.
- A resident receiving isolation services may have a State Medicaid Billing (Z0200) RUG classification of ES1, CA1, or CA2 depending on their ADL Score.
- If isolation was not coded on the resident's most recent OBRA assessment, the SCSA is not required when isolation services end.

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## The ARD and Completion Dates

- For both therapy or isolation services,
  - The last day of skilled therapy or strict isolation services is considered day 0 when determining the ARD of the SCSA
    - For therapy services, the ARD must be set on day 8 after therapy ends
    - For isolation services, the ARD must be set on day 15 after isolation ends
  - This is not flexible, the ARD must be set on a fixed date
  - No grace days are allowed
  - The SCSA completion date can be no later than the ARD + 14 calendar days

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## What is the Effective Date of These Requirements?

- August 1, 2021
  - If the last day of skilled therapy or strict isolation services is
    - On or after 8/1/2021, the SCSA is required
    - On or before 7/31/2021, the SCSA is not required

## Is This A Federal Requirement?

- No, this is a State Requirement
- Staff must also follow both, the State and Federal Requirements
- Federal- If the IDT determines the resident meets the criteria in the RAI Manual, a SCSA must be completed
- State- When therapy or isolation services end, the SCSA is required by the State regardless of whether the resident meets the Federal criteria for SCSA assessment.

## Skilled vs. Unskilled Therapy Services

- Skilled Therapy Services
  - Are medically necessary
  - Are ordered by a MD, PA, or NP
  - Require the skills, knowledge, and judgement of a qualified therapist
  - Are based on a qualified therapist's assessment and treatment plan
  - Are documented in the medical record, and
  - Are care planned and periodically evaluated
- Therapy services that don't meet these requirements are considered unskilled. A SCSA is not required when unskilled therapy services end

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## What Is Strict Isolation?

- Criteria for Strict Isolation
  - An active infection with a highly transmissible pathogen...
  - Transmission based precautions are in place
  - The resident is alone in a room because of the infection
  - The resident must remain in their room. All services are brought to the resident e.g. dining, bathing, therapies, activities, etc.
- When all of the criteria for strict isolation is met, the SCSA is required

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## How We Will Be Monitoring

- Special audits
  - Both, onsite and Desk audits
- Conduct additional chart reviews during the facility's standard, annual Pool audit
- Follow-up on consumer complaints

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## What Are The Consequences Of A Late and Missed SCSA?

- The penalty rate, AAA, will be assigned for all late or missed assessments
- The penalty rate will be assigned from the time the assessment was due, the ARD, until the 1<sup>st</sup> of the month following submission and acceptance of the late assessment into the QIES ASAP system

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## Changes To The Reconsideration Process

- All Reconsiderations should be faxes to the CMR Program
  - **1-800-348-0191**
  - **DO NOT MAIL IN RECONSIDERATIONS**
- Include a completed Request for Reconsideration Form
- Facilities can request a reconsideration on any Quality Item changed during an CMR audit



## Request For Reconsideration Form

**Request for Reconsideration Form**

Resident Name: \_\_\_\_\_ Facility Name: \_\_\_\_\_  
 SSN: \_\_\_\_\_ HRID: \_\_\_\_\_  
 DOB: \_\_\_\_\_ MDS Nurse Name: \_\_\_\_\_  
 Resident Phone Number: \_\_\_\_\_ MDS Nurse Telephone Number: \_\_\_\_\_

**Who Requested the Reconsideration**

Facility  
 Resident  
 Resident's representative

**Type of Assessment:**

Admission  
 Quarterly  
 Annual  
 Significant Change in Status  
 Significant Correction

If requested by Resident's Representative include:

Representative's Name: \_\_\_\_\_ Assessment ARD: \_\_\_\_\_  
 Representative's Phone Number: \_\_\_\_\_ Case Mix Classification: \_\_\_\_\_

**Name and Contact Information of person completing this form:**

Name: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Date: \_\_\_\_\_

A copy of the MDS assessment is not required when submitting a Request for Reconsideration.

Note: A facility requesting a reconsideration must provide notice of the request to the resident or their representative and must include a copy of that notice with this reconsideration request. See the Minnesota Case Mix Review Manual for more information.	
Note: To be completed for facility initiated reconsideration requests only	Date the facility received the classification notice Date the facility distributed the classification notice

Fax completed form and all required documents to the Minnesota Case Mix Review Program at 1-800-348-0191.

Link to the Reconsideration Form

<https://www.health.state.mn.us/facilities/regulation/casemix/docs/cmrmanual.pdf#page=16>





## Resident/Representative Initiated Reconsiderations

- The resident, or their representative, must submit, in writing, a reconsideration request to the facility administrator within 30 days of receipt of the resident Case Mix Classification Notice.
- The written request should include a rationale for the request
- Within three business days of receiving this request, the nursing facility must fax to the Case Mix Review Program:
  - A completed Request for Reconsideration form,
  - A copy of the resident or resident representative's written request, and
  - All documentation used to support the MDS coding of the assessment being reconsidered.

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## Changes To The Admission Assessment Requirements

- Statute Change
  - A facility must submit to the commissioner of health an admission assessment for all residents who stay in the facility 14 days or less, unless the resident is admitted and discharged from the facility on the same day, in which case the admission assessment is not required.
  - When an admission assessment is not submitted, the case mix classification shall be the rate with a case mix index of 1.0.

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**Thank you.**

For Questions Call 651-201-4313, or  
Send an email to [Health.mds@state.mn.us](mailto:Health.mds@state.mn.us)



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