

Re: Skilled Nursing Facility-Open Door Forum



CMS Officials: [odf@cms.hhs.gov](mailto:odf@cms.hhs.gov)

January 30, 2011

As requested in the SNF OPEN Door Forum on December 9<sup>th</sup>, I am providing comments for improvement to the delivery of guidance given by CMS through these calls.

CMS hosts/holds these calls to provide current regulatory information and clarification to the Long Term Care Industry. Hundreds of facility and corporate staff members, consultants, vendors, billers, and state/federal employees take precious time out of their busy days to participate and learn.

As such, CMS representatives need to be available and more prepared to answer specific provider questions during the call.

For example, the pre-posted agenda for the January 27<sup>th</sup> call included a discussion about SOT/EOT OMRAs (start of therapy/end of therapy other Medicare required assessments). Providers also asked questions about patients who are on a Medicare HMO or Advantage plan who convert to traditional Med A PPS--transmitting vs. not transmitting assessments; and/or restarting the PPS schedule. The confusion caused by the CMS official responses (or non-response and direction to e-mail question for an individual response), to these questions went on for days on the AANAC list serve, of which you may be aware, and where even their "experts" were confused.

Additionally, CMS should document and post these questions and answers for all participants and for those in the industry who are unable to listen in to these calls. Although CMS announced on the December 9<sup>th</sup> call that a meeting transcript and audio file would be posted, they were not.

Most recently, providers are listening in and asking questions to clarify current regulation and instruction to the new MDS 3.0 and RUGs IV. We are all well aware that these are new regulations, and that glitches will arise.

However, approximately 50% of the time there is no CMS "expert" on hand to respond, and the caller is directed to e-mail the question to a representative who will respond with the answer. This is a waste of time and resources for all involved, and has become a frequent scenario on these calls.


What of the others on the call or in the provider community who have the same question? How do they get an answer?

Providers must adhere to a multitude of interwoven, duplicative, and sometimes contradictory local, state and federal laws and regulations, found in multiple sources, Internet and Paper based. We must often refer to complex and lengthy CMS official documents/official regulation to ensure compliance. While the CMS SNF ODF calls are, in theory, a valuable resource for us,

they are of no value when questions cannot be answered or clarified by CMS representatives who imposed (and should best understand) said regulations.

Whereas these ODF calls are concerning regulation, we request that CMS PUBLISH these questions, answers, and clarifications OFFICIALLY, in hard copy, so ALL providers can access the same CMS guidance until such time as the manual (or manuals) is updated. This guidance can and should be posted on the CMS SNF ODF page, and/or the CMS transmission HOME page.

Thank you for the opportunity to submit comments and suggestions,

A handwritten signature in black ink that reads "Lucia Morrell". The signature is written in a cursive, flowing style.

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