



LNHA State Regulatory Update: March 2017

Emergency Rules

Personal Care Services – Long-term Standards for Participation Electronic Visit Verification (LAC 50:XV.12909)

In April 2015, the Department promulgated an emergency rule which mandated the long-term personal care services providers must utilize the electronic visit verification system designated by the Department for automated scheduling, time and attendance tracking and billing for long-term personal care services. This emergency rule simply continues the provisions of the prior emergency rule.

Notice of Intent

Nursing Facilities – Preadmission Screening and Resident Review (LAC 50:II.Chapter 5)

The Department proposes to amend the provisions governing admissions for nursing facilities by revising the procedures for the preadmission screening and resident review process in order to: 1) remove the requirement that the Level I Preadmission Screening and Resident Review (PASSR) form be completed by a physician; (2) extend the number of days that the Level II authority may make and advance group determination for individuals who require convalescent care in a nursing facility; (3) require nursing facilities to notify the Level II authority if a PASSR was not completed or completed incorrectly; and (4) clarify existing provisions. A full text of the proposed changes can be found [here](#).

Final Rules

Nursing Facilities – Reimbursement Methodology (LAC 50:II.Chapter 200)

In December 2016, the Department published a Notice of Intent and proposed rules to amend the provisions governing the reimbursement methodology for nursing facilities in order to revise the method used for nursing facility rate setting. At the time, nursing facility rate setting used a point-in-time method which determined rates by services utilized at a specific time. The Department proposed to adopt provisions which utilized a time-weighted methodology which determines rates by services used over a longer period of time. Since its introduction in December 2016, the proposed rules have been properly implemented through the administrative process. As such, the rules became final on March 20, 2017. A full text of the rules can be found [here](#).

If you have any questions or concerns regarding the preceding rules, please contact LNHA's Legal and Policy Director Wes Hataway at whataway@lnha.org.