



LNHA Regulatory Update: February 2020

Notice of Intent

Standards for Payment for Nursing Facilities, Comprehensive Assessment (LAC 50:II.10123 and 20001)

To be in compliance with the Centers for Medicare & Medicaid Services (CMS) requirements, the Louisiana Department of Health (LDH) proposes to amend the provisions governing nursing facility reimbursements. The amendment mandates the use of the optional state assessment item which is set to replace the Medicare prospective payment system assessments retired by CMS due to the implementation of the Patient-Driven Payment Model.

A few of the proposed changes are as follows:

- One of the current components of the comprehensive assessment (RAI) is “resident assessment protocol (RAP).” The proposed amendment replaces that component with “care area assessment.”
- The proposed amendment includes a section titled “Care Area Assessment (CAA) Process and Care Planning” which describes the CAA process.
- The optional state assessment (OSA) item set will be mandated for all assessments with assessment reference dates October 1, 2020, and after.
- The definition of “Minimum Data Set (MDS)” is amended to include a reference to the optional state assessment (OSA).

A full text of the rules can be found [here](#) on page 94 of the PDF. Any request for a public hearing regarding this proposed rule must be received by LDH prior to March 11, 2020. If a request is granted, the public hearing will be held on March 26, 2020, in Room 118 of the Bienville Building in Baton Rouge, Louisiana.

Per LNHA’s conversation with LDH, the rule will only be implemented if MDS Section G is removed as is currently proposed by CMS. LNHA will continue to monitor any developments with Section G as well as the proposed state rule.

Questions

If you have comments or concerns regarding this update, contact LNHA’s Legal and Policy Director, Wes Hataway at whataway@lnha.org.