

Nursing Facility Stakeholder Meeting

November 15, 2023

Agenda

- Announcement, Introductions
- Financial Compliance Update (Cathy)
- Change of Ownership Process (Cathy)
- Eligibility Redetermination Dashboard
- SB 22-210 Staffing Agency Data
- HB 23-1228 Updates
- Utilization/DOC payment regulation
- Public Comment

Financial Compliance Unit Updates

- Review rotation is now 2 - 4 years
- Deadlines must be met. Extensions may or may not be granted.
- Current Reviews (look back period up to 6 years)
 - Post Payment Reviews (PPR)
 - 5615/COLA, census, account receivable, aging credits, paid claims
 - Personal Needs Accts (PNA)
 - Bank reconciliations, resident activity, surety bond
 - Pending rule updates for additional topics of review
 - Pre-Admission Screening Resident Review (PASRR)
 - PASRR approved admit date for resident to facility
 - Denial of Payment New Admissions (DPNA)
 - Imposed by CMS/CDPHE during surveys
 - Verify no new admissions to facility during imposition period
- Future Reviews may include: PETI-IME Tracking Log

Change of Ownership (CHOWs)

- CHOWs are tax ID changes or facility closures
- Requires 45-day notice email to HCPF_LTC_Facilities@state.co.us
 - List the new owner and contact information and the selling owner and contact information
 - Anticipated change effective date
 - Anticipated date when new enrollment application will be submitted
 - Anticipated date when disenrollment application will be submitted
 - Anticipated date when seller will stop billing
- Requires new owner to enroll in billing system
- Requires seller (or closing facility) to disenroll from billing system

CHOWs

- CHOW effective date is subject to approval by HCPF (when the new enrollment application has successfully been approved in the billing system)
- Requires the seller to stop billing before the new owner can start billing
 - CHOW effective date will be delayed if seller keeps billing
- New owner cannot bill until new account is open
- New owner cannot use seller's billing account

CHOWs cont.

Common CHOW processing delays/issues:

- New applications not submitted
- New applications missing information
- New license not issued (CDPHE)

- Seller continues to bill which delays the CHOW effective date
- Seller disenrollment not submitted

- Notification to HCPF not submitted which affects the mandatory closing review timeline

CHOW Rules

[Department Rule 10 CCR 2505-10](#)

(review full rule section 8.400-8.482, highlights listed here)

- Section 8.443.15 CHOW requirements
- Section 8.424
 - Requires a closing review to be completed
 - Financial Compliance Unit (FCU) team performs
 - Review can take several months and conclude after the CHOW effective date or closure date
 - Escrow accounts can be utilized to ensure any overpayments are collected by HCPF

CHOW Rules cont.

- Section 8.443.15.F
 - Requires a final MED-13 covering the period from the ending date of the last previous report through the date of transfer or termination
- Section 8.482.52.A.18
 - Personal Needs Account funds and accounting records are the property of the residents and must remain with the facility
- Section 8.482.52.C
 - A new surety bond must be issued by new owner
 - PNA account balances must be verified before transferring to new owner

Provider Resources - Quick Guides

Refer to the <https://hcpf.colorado.gov/provider-resources> website for quick guides on provider enrollment and disenrollment

[Provider Enrollment Portal Quick Guide: Change of Ownership Enrollment Application](#)

- Claims cannot be submitted before the application is activated for the new enrollment. Additionally, claims may not be submitted by the new owner using the old EIN or the selling provider's NPI/Provider ID
- CHOW effective date can be retroactive or up to 90 days in the future
 - This date may or may not align with the new license effective date
- Selling provider must begin the voluntary disenrollment process before the new application can be processed for approval

Provider Resources - Quick Guides cont.

Provider Web Portal Quick Guide - Disenrollment

- Seller disenrollment date can be retroactive or up to 90 days in the future
- Change of ownership must be selected for disenrollment reason
- Disenrollment options: CHOWs and Closing of Business
- All claim billing must be completed before the disenrollment date

The seller's disenrollment date
comes before
the buyer's enrollment date

Provider Resources - Manuals

Refer to the <https://hcpf.colorado.gov/provider-resources> website for [Provider Billing Manuals](#)

➤ [General Provider Information Manual](#)

- Change of Ownership (CHOW): Change in Tax Identification Number
 - Providers must choose a date to stop billing under the previous tax ID and begin billing under the new tax ID. The two numbers should not have overlapping dates.

➤ [Nursing Facility Billing Manual](#)

- NFs are required to notify the NF Operations Specialist at HCPF_LTC_Facilities@state.co.us when there is a change in ownership or change in Tax ID.
- Refer to [Department rule 10 CCR 2505-10, Section 8.443.15](#) for CHOW requirements.

QUESTIONS

Cathy.Fielder@state.co.us

Financial Compliance Unit Supervisor



Eligibility Redetermination notices to Nursing Homes

- Testing automated emails with links to facility specific google drives
- Files will include a monthly data pull that identifies pending, upcoming and overdue eligibility redeterminations by resident
- HCPF updated NHA emails on November 8th and will default to this list
 - Additional contacts can be added afterwards

Further Updates

- HCPF will also assign high volume nursing homes to an eligibility contractor to assist with processing
- Contractor will be able to assist with specific verification needs as well as processing renewals

Staffing Agency Data

- SB 22-210 directed the Department of Labor to license and collect data on healthcare staffing agencies.
- Initial data sets have been turned over to HCPF
 - Preliminary data inconsistencies need clarifications in future quarterly collections
 - Hourly vs. Gross misinterpretations

Staffing Agency Data cont.

Sorted Data (nurses only)

	CNA		
	Charges	Wages	Margin
Q1 2023	\$7,455,306.40	\$4,957,611.37	50.38%
Q2 2023	\$6,340,758.76	\$4,382,776.55	44.67%
	LPN		
Q1 2023	\$4,293,220.56	\$2,688,131.97	59.71%
Q2 2023	\$3,606,750.25	\$2,316,025.66	55.73%
	RN		
Q1 2023	\$14,281,520.64	\$9,473,692.68	50.75%
Q2 2023	\$9,933,728.25	\$6,715,945.64	47.91%

HB 23-1228 Updates

- 10% increase and PDPM change was approved by CMS on October 30.
 - Interchange rates were updated November 7th
 - Mass Adjustment of past claims occurred November 14th
- Claims needed to be billed for FY 2024 rates to be captured in the Mass adjustment
- Please review for accuracy

HB 23-1228 Updates cont.

- CMS approved a SPA aimed at enhanced rates for parolees leaving the Colorado Dept of Corrections on Nov. 2
- DOC will manage a prior approval process for select individuals with access to care barriers
- Payment add-ons will be \$90 to \$110/day paid quarterly
 - Pending regulation will include more details

HB 23-1228 Updates cont. 2

- HCPF is awaiting SPA approval on the Medicaid utilizer add-on payments
 - +\$5/day to +\$10/day depending on Medicaid percentages
 - We have initiated the regulatory process targeting December MSB
 - Data validation will occur in December (correctible)

December MSB

- HCPF is planning on presenting the regulation for the Medicaid utilization add-on payment.
- Also included is a payment for DOC parolees
- HCPF no longer has a limit on adult dental
 - As a result Dental PETIs will no longer be repealed
- Contact Christine Bates for draft regulation
 - Christine.Bates1@state.so.us

Open Comment