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PI-11-03
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PROGRAM INSTRUCTION

TO: Aging Service Access Points (ASAPs)
Executive Directors
Nurse Managers
Program Managers

FROM: Ann L. Hartstein 

DATE: January 12, 2011

RE: Conditions for Certain Nursing Facility Approvals

Purpose:

The Executive Office of Elder Affairs is issuing this Program Instruction (PI) to clarify requirements regarding the ASAPs' role in performing clinical eligibility determinations for authorization of MassHealth payment for nursing facility services. This PI modifies instructions previously issued in PI-07-18 and the ASAP RFR section 9.4.1.5.b.

Background and Program Implications:

The Executive Office of Elder Affairs requires that all MassHealth members and applicants seeking nursing facility services receive a comprehensive assessment. Members/applicants must be both financially and clinically eligible in accordance with MassHealth regulations 130 CMR 456.408 for authorization of MassHealth payment for nursing facility services for a specified length of stay (currently called Short Term Approval or STA) or an indefinite length of stay

(currently called Nursing Facility Approval or NFA), subject to periodic review.

Required Actions:

For all MassHealth members and applicants in, or seeking admission to, nursing facilities for an indefinite length of stay, the ASAP shall, upon initial assessment, issue a clinical authorization for MassHealth payment of nursing facility services for an indefinite length of stay only where a member/applicant meets one or more of the following criteria, subject to periodic review:

1. has a diagnosis of mid-late stage Alzheimer's disease or a related disorder;
2. has an end-stage (less than 6 months) terminal illness, as certified by a physician;
3. is comatose/unresponsive;
4. has complex multi-system failure resulting in permanent dependence in all of the following ADLs: bathing, dressing, toileting, transfer, mobility.

For all other MassHealth members/applicants, including those meeting the above criteria who intend to return to the community, ASAPs must issue an STA for a specified length of stay or a denial. For nursing facility residents converting to MassHealth, the duration of the STA must be determined by the ASAP's CSSM Team.

In most instances, the ASAP may issue an NFA only on the basis of an on-site, in-person, comprehensive assessment performed by the ASAP RN and documented in accordance with Elder Affairs' instructions. The sole exception to this rule occurs when all of the following conditions are met:

1. a nursing facility resident is transferring directly from one nursing facility to another nursing facility with less than 48 hours notice to the ASAP; and,
2. the resident was previously assessed by an ASAP RN in conjunction with an in-person on-site visit; and,
3. at the time of that assessment by the ASAP RN, the nursing facility resident was assessed as meeting at least one of the initial Nursing Facility Approval criteria listed above; and,
4. the ASAP RN issued an NFA at that time on the basis of his/her assessment; and,
5. there is a completed CDS in the consumer record that supports the criteria for an NFA and indicates the date of the previous ASAP RN's on-site assessment.

If all of the conditions listed above are met, the ASAP RN may issue an NFA on the basis of a paper review of the required documentation sent to the ASAP by the nursing facility without performing an in-person, on-site assessment. The documentation must continue to support at least one of the initial NFA criteria.

In those instances where clinical authorization for MassHealth payment is requested for a nursing facility to nursing facility transfer with less than 48 hours notice and the member or applicant does not meet one of the four initial long term approval criteria, or has a current short term approval, the ASAP may only issue up to a 30 day short term approval, or up to the

expiration date of the previously issued short term approval, based on a paper review provided the member or applicant continues to meet the clinical eligibility criteria in 130 CMR 456.409.

The ASAP RN must issue a new notification authorizing MassHealth payment of nursing facility services accompanied by appeal rights and send copies to all appropriate parties. A narrative note in the CDS and journal note must detail the ASAP RN's actions and indicate that this is a nursing facility to nursing facility transfer based on a prior nursing facility approval that meets the above conditions. No other action with the CDS is necessary other than to update the nursing module from the previous nursing facility approval, specifically the signature section updating the date of determination.

If an STA is issued and the new nursing facility is outside of the ASAP's service area, the ASAP must forward a copy of the clinical notification to the new ASAP. The new ASAP is required to track the STA and follow all business rules related to STAs within SIMS.

Effective Date:

January 12, 2011

Contact:

Please direct any questions regarding this program instruction to Shari Lemont-Moore, RN at shari.lemont-moore@state.ma.us.