

WI Department of Health & Family Services Office of Quality Assurance

P.O. Box 2969, Madison, WI 53701-2969

Telephone: (608) 266-8481, TTY: (608) 266-7376

FAX: (608) 267-0352

Office of
Quality Assurance

Otis Woods, Director

<http://dhfs.wisconsin.gov>

AL Regional Boundaries Change	Page 1
Focus 2007	1
Changes in Fed. Hospital Regs.	2
Team-Training Tool Kit	3
Health Facility Fire Information '06	4
Electrical Safety Switch Recall	5
CMS Webcasts – Oct.-Dec. 06	5
Latest CMS S&C Memos	5
Diet Orders in Hospitals	6
RAI/MDS Information	7
OASIS Information	7
Resources to Bring Person-Directed Care to Persons With Dementia	9
Discontinuation of Annual Survey of Nursing Homes	9
OQA Numbered Memos May-July 06	10
Statutory Changes Affecting Counties & Licensed or Certified Providers	11
Administrative Rule Updates	11

Assisted Living Section Regional Boundaries Effective January 1, 2007

The Office of Quality Assurance's (OQA) Assisted Living Section (AL) has experienced a growth in the number of assisted living facilities throughout the state. Currently, there are over 2,700 assisted living facilities; including Adult Day Care (ADC) facilities, Adult Family Homes (AFHs), Community Based Residential Facilities (CBRFs), and Residential Care Apartment Complexes (RCACs).

To meet the demands of the increasing number of assisted living facilities with varied locations throughout the state, a change in the workload distribution is necessary and will occur on January 1, 2007. This change in workload assignments only affects assisted living facilities licensed/certified by OQA, and does not alter other Department of Health and Family Services' regional assignments. The following link shows the counties under each regional office, as well as an updated map:

http://dhfs.wisconsin.gov/rl_DSL/Publications/06-029.htm .

FOCUS 2007 Conference--Save the Date

Save the Dates
August 7 and 8, 2007

The Office of Quality Assurance (OQA) is pleased to announce the 7th Annual Focus 2007 Conference, "Coming Together: Mapping the Journey to Excellence," for health care providers and OQA staff. This year's conference, developed in collaboration with health care providers from many fields, is designed to bring together a variety of experts to share strategies and provide learning opportunities for all caregivers. The conference will include a special session on August 7, 2007, and the main event on August 8, 2007, at the Holiday Inn and Conference

Center in Stevens Point, Wisconsin. Last year's Focus 2006 Conference was attended by over 750 health care providers and OQA staff, and was rated a huge success. Our goal is to exceed last year's achievement, and FOCUS 2007 promises to be the best yet with countless opportunities to explore, learn, sample, network, and recharge your energies for the challenges of 2007.

August 7th is devoted to abuse prevention, and will provide a variety of proven methods to use to prevent abuse, neglect, and misappropriation of property of vulnerable adults in all care settings. The program titled, "Zeroing In On Abuse Prevention," will include a thought-provoking motivational presentation in the morning and several breakout sessions in the afternoon designed to provide practical approaches for use in health care facilities. The breakout sessions range from providing information on how to create a culture of safety to providing support to caregivers and responding to challenging situations. The special session is recommended for all direct caregivers and supervisors who care for vulnerable adults in Assisted Living Facilities, Facilities Serving People with Developmental Disabilities, Home Health Agencies, Hospices, Hospitals, Nursing Homes, and Personal Care Worker Agencies.

The FOCUS 2007 conference on August 8, offers an exciting opportunity for participants to:

- Acquire information from experts to address current and emerging issues;
- Apply learned practices and strategies in their health care settings; and
- Gain opportunities for networking and the exchange of ideas.

The conference will be kicked off with opening remarks by the new Secretary of Health and Family Services, Kevin Hayden. Donna Manning, a senior consultant with Maun/Lemke Consulting, will present a valuable and exciting keynote, titled, "The Seven Keys to Expected Exceptional Customer Service." The day will include 24 topical breakout sessions on cutting-edge issues and practices, numerous informative exhibits, and networking opportunities. The program is designed for staff from Assisted Living Facilities, Facilities Serving People with Developmental Disabilities, Nursing Homes and OQA staff.

The cost of the conference is not yet determined, and additional information regarding program content will be provided in future OQA Quarterly Updates and on the OQA website. Watch your mailbox for the FOCUS 2007 Conference brochure which will be mailed out in early June. Online registration will also be available at the same time. Focus 2007 will provide numerous formats to engage all types of learners, a variety of content, and a thought-provoking lineup of presenters. See you there!

Changes in Federal Hospital Regulations

On November 27, 2006, CMS published a new rule in the Federal Register revising the requirements in the hospital conditions of participation (COPs) for completion of history and physical examinations, authentication of verbal orders, securing medications, and completion of post-anesthesia evaluations.

management” to prevent medical errors, is designed to optimize team performance and outcomes across the health care delivery system.

TeamSTEPPS includes the following components:

- An instructor guide
- Power Point presentations
- A DVD containing nine video vignettes
- A spiral-bound pocket guide
- A CD-ROM containing files of all print materials
- A 17” x 22” poster

The TeamSTEPPS tools can be viewed on the website of the Uniformed Services University of Health Sciences <http://www.usuhs.mil/cerps/teamstepps.html>. Single copies can be obtained free of charge by using the ordering form on the AHRQ website at: <http://www.ahrq.gov/qual/teamstepps>.

Wisconsin Health Facility Fire Information for 2006

Following is a table of fires reported to OQA from Wisconsin health and residential care facilities for the year 2006.

Sources / Impacts	Nursing Homes	Hospitals	Assisted Living Facilities
Electrical	11	4	3
Smoking/Wastebasket	2	1	6
Kitchen	3	0	5
Laundry	6	1	0
Occupant/Arson	1	2	4
Mechanical/Construction	1	1	3
Injured	6*	0	0
Deaths	0	0	0
Facilities Destroyed	0	0	0
Automobile	0	0	0

* staff injuries, minor in extent

60% of all fires resulted in activation of the building’s fire alarm system, with the number one source being **electrical** in nature. Staff played a vital role in activating and responding to many of these situations.

7% of all fires resulted in activation of the sprinkler system. A majority of the fires lacked the heat build-up to activate a sprinkler head. Most fires had minimal fuel load, or were caught in the early stages of development.

Total property damage costs reported in 2006 came to approximately \$68,000.

All fires in a licensed health or residential care facility in Wisconsin must be reported within 72 hours to the Department of Health & Family services. You may use the Fire Report form located on the Internet at <http://dhfs.wisconsin.gov/forms1/OQA/oqa2500.pdf> and fax it to (608) 267-7119 or to the appropriate OQA Regional office. See http://www.dhfs.state.wi.us/rl_DSL/Contacts/reglmap.htm. See also BQA memo 00-017 posted at http://www.dhfs.state.wi.us/rl_DSL/Publications/00-017.htm.

Electrical Safety Switch Recall

In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Square D Company of Palatine, Ill., is recalling up to 27,600 General Duty Safety Switches.

The safety switch can continue to supply electricity even after being placed in the “OFF” position. This poses the risk of an electric-shock or electrocution hazard to consumers.

Contact Square D toll-free at (877) 202-9046, between 7:30 a.m. and 5:00 p.m. ET, Monday through Friday, or visit the firm’s website at <http://www.us.squared.com>.

CMS Webcasts – October-December, 2006

Listed below are CMS webcasts that were produced between October and Dec., 2006. They will be available for one year after the date of release. You may access these webcasts at <http://surveyortraining.cms.hhs.gov/>.

10/20/06	Burnout: Staff
11/3/06	From Institutional to Individual Care, Part 1: Integrating Individualized Care and Quality Improvement
11/17/06	Burnout: Caregiver
12/15/06	Nursing Home Journal Volume IV: Unnecessary Medications

Latest CMS Survey & Certification Letters

Listed below are selected Survey and Certification (S & C) Letters distributed by CMS during the last quarter. Titles pertaining only to state agency operations are omitted. If you have questions about individual letters, contact Jan Eakins of OQA at (608) 266-2055, or email her at eakinjl@dhfs.state.wi.us. Please note that the CMS Internet site for all S & C memos is <http://www.cms.hhs.gov/SurveyCertificationGenInfo/PMSR/list.asp>.

Title	Number	Date
Provisions of the Final Rule regarding Adoption of New Fire Safety Requirements for the Use of Alcohol Based Hand Rubs (ABHRs) and Installation of Battery Powered Smoke Alarms	07-01	11/1/06
Resident Assessment Instrument (RAI) Minimum Data Set (MDS) 2.0 Web-based Training (WBT)	07-03	12/7/06
Life Safety Code – Exit Discharge Requirements and the Fire Safety Evaluation System (FSES)	07-05	12/7/06
Hours of Operation for Rural Health Clinics (RHC)	07-06	12/7/06
Nursing Home Culture Change Regulatory Compliance Questions and Answers	07-07	12/21/06
Medical Gas Storage and Usage Considerations	07-10	1/12/07
Use of Alcohol-based Skin Preparations in Anesthetizing Locations	07-11	1/12/07
New and Revised Clinical Laboratory Improvement Amendments of 1988 (CLIA) Policies and Procedures	07-12	1/12/07

Diet Orders in Hospitals

The American Dietetic Association recently published a White Paper discussing therapeutic diet orders in hospitals. The White Paper can be found at: <http://www.eatright.org> . This site is available to ADA members only.

Medicare Hospital Conditions of Participation related to Food and Dietetic Services are found at 42 CFR 482.28 http://www.access.gpo.gov/nara/cfr/waisidx_06/42cfr482_06.html.

Interpretative guidance for these provisions is found in the Centers for Medicare and Medicaid Services (CMS) State Operations Manual, Appendix A, http://cms.hhs.gov/manuals/Downloads/som107ap_a_hospitals.pdf. On August 18, 2005, in S&C-05-42 <http://www.cms.hhs.gov/SurveyCertificationGenInfo/PMSR/list.asp>, CMS clarified the interpretative guidance further to indicate that therapeutic diets must be prescribed/ordered by the practitioner responsible for the patient's care consistent with standing regulation 42 CFR 482.28 (b)(1).

In the case of hospital approved dietary protocols, the practitioner responsible for the patient may write an order to implement a specific dietary protocol for a specific patient. A hospital may not implement a dietary protocol without such a written order by the attending physician or doctor of osteopathy. The practitioner responsible for the patient may choose to write an order instructing the qualified registered dietitian, working within their hospital-granted privileges and scope of practice, to conduct a nutrition assessment and write an order. The legal authority for diet orders rests with the responsible practitioner.

RAI/MDS Information

Revisions to the RAI Manual 2.0

The January, March, and June 2006 Revisions to the RAI Manual 2.0 are available on the CMS MDS 2.0 website. Updates can be viewed and downloaded at:
http://www.cms.hhs.gov/nursinghomequalityinits/20_nhqimds20.asp

CMS MDS Web-based Training (WBT)

CMS developed an online training tool that provides information contained in the Revised Long-Term Care Facility Resident Assessment Instrument User's Manual, MDS Version 2.0. The MDS WBT is a user-friendly training tool designed for nursing home clinicians and others interested in learning about the RAI process and how to accurately complete MDS assessments. The MDS WBT requires users to register on line and is able to track an individual user's progress through the training program. For more information about the MDS WBT program refer to CMS memorandum S&C-07-03, dated December 7, 2006. The MDS WBT is located at:
<http://www.mdstraining.org>.

Nursing Home MDS QI/QM Package Reports

The MDS Monthly Submission Statistic Report will now be available as part of the QI/QM Package Report available in the online CASPER system. The default for this report will be "unchecked." To request this report as part of the QI/QM package, check the box to the left of the report name. The MDS Monthly Submission Statistics Report includes all production submissions where the submission date is within the specified date range identified by the user. The report displays the month of processing, number of batches processed, number of records processed, number of records rejected, number of records accepted, and the rejection percent. The CASPER system is accessed via the State MDS System and requires the same login ID and password that are used to transmit MDS assessment records.

OASIS Information

OASIS Manual Revisions

The OASIS Implementation Manual was revised by CMS in June, 2006. The updates reflect changes from the final Reporting Regulation, effective June 21, 2006. After the June release, further corrections to Chapter 8 were completed and published in September, 2006. The Implementation Manual and a crosswalk showing changes, the HHA System User's Guide Version 4.3, and the OASIS Validation Report Messages and Description Guide can be downloaded from the OASIS User Manual area of the CMS OASIS website. The CMS OASIS website is located at: <http://www.cms.hhs.gov/oasis/>.

CMS Policy Change for Coding Surgical Wounds

Based on the current advances in wound care research, CMS will follow the recently revised guidance on the Wound Ostomy Continence Nurses Society (WOCN) Guidance Document on "OASIS Skin and Wound Status M0 Items" (revised July 2006), regarding the lack of scientific evidence supporting the finding of the healing ridge in the assessment of surgical wounds closed by primary intention.

CMS encourages clinicians to follow the guidance suggested in the WOCN Guidance Document on "OASIS Skin and Wound Status M0 Items" (revised July 2006) in the assessment of surgical wounds, specifically in the assessment of M0488 Status of Most Problematic (Observable) Surgical Wound. This document is found at: <http://www.wocn.org>.

Home Health Compare Preview Reports

HHA Preview Reports will be made available to home health agencies prior to public posting of the quality measure scores on the CMS Home Health Compare website. The reports will be placed in a shared folder in CASPER for each agency to view their demographic and quality measure data. Agencies should use the following steps to access their Preview Reports in CASPER:

1. Connect to the State OASIS System;
2. On the OASIS Welcome Page click on Online Reports;
3. Login into CASPER;
4. Select the Folders Tab;
5. Select the Shared Folder Link which displays as: *WI HHA####, and
6. Click on the name of the report for viewing.

CASPER requires the same login ID and password that are used to transmit OASIS assessment records to the State OASIS System. Additional information regarding the Preview Reports is available on the State OASIS System Welcome Page.

OBQI and OBQM Reports by Branch are Now Available

Beginning December 18, 2006, the HHA OBQI and HHA OBQM reports will allow the user to request that the report be displayed by branch for all OBQI and OBQM reports. Two new columns have been added to the OBQI Outcome Tally, OBQI Case Mix Tally, and the OBQM Patient Listing reports to display the value in M0016-Branch ID Number of the Start of Care assessment and the End of Care assessment for the identified Episode of Care. Instructions for requesting reports by branch are available on the State OASIS System Welcome Page.

New Resources Available To Bring Person-Directed Care To Person With Dementia

The Department of Health and Family Services is proud to announce exciting new resources now available to health care providers to assist in bringing person-directed care to persons with dementia to create true culture change. The Bureau of Aging and Disability, in collaboration with the Office of Quality Assurance, has developed a multifaceted program that provides a “how to” guide for providers to implement person-directed care in long term care facilities. These resources were developed by an advisory committee of experts including staff from nursing homes, advocacy groups, and the Department.

These resources are listed at <http://accept.dhfs.wisconsin.gov/aging/Genage/ALZFCGSP.HTM>.

Program Highlights

The web site includes two (2) hour-long webcasts designed to be viewed by all facility staff, introducing the concepts of person-directed care, and provides a basic framework for replicating the program in your facility. The webcasts show an actual activity program designed to maintain cognitive abilities, boost self esteem, and facilitate rejuvenation of residents. A role playing exercise, demonstrating the importance of care planning based on person directed care concepts, is also included.

A significant portion of the program includes an extensive assessment tool that is designed to be used by facility staff as a guide in identifying the elements necessary to implement person-directed, dementia care. The tool focuses on nine key areas ranging from the environment and activity programs to communication, leadership, and team dynamics. Your staff will be able to use this tool to identify the existing strengths of your program and to designate areas for improvement. The web site includes instructions on how to convert this information into a quality improvement plan, complete with benchmarks to re-assess and measure progress, and identify new areas of focus over time. Additional resources include templates and examples to develop action plans, training tools, and numerous publications and links related to dementia and person-directed care.

We hope you find these resources beneficial and add them to your own reference collection or quality improvement library.

Discontinuation of the Annual Survey of Nursing Homes

After careful consideration, the Department has decided to discontinue its full Annual Survey of Nursing Homes statistical report published each year by the Division of Public Health, Bureau of Health Information, and Policy. The decision to discontinue the survey was based on lack of funding to conduct, analyze, and publish the results; and because most of the information collected by this survey is now available through other, more modern and efficient automated data collection systems. Therefore, the annual survey nursing homes expect each year from the Bureau of Health Information in late December will not be mailed this year.

Some of the data collected by the Annual Survey of Nursing Homes will be needed to meet requirements of 2006 Wisconsin Act 386, which relates to nursing home resident relocations of persons with developmental disability, and requires reporting of facility staff turnover rates. Also, beginning in 2007, some of the data will be needed for the Department's 2007 nursing home quality initiative "Recognition for Performance."

Therefore, Wisconsin nursing homes will be required to complete a pared down version of the survey for 2006, as well as in subsequent years. Information will be forthcoming early in 2007, regarding the Department's revised 2006 annual survey that facilities will be required to complete. Additionally, any information that OQA is required to collect, which previously was part of the annual survey, will be collected in a different manner.

OQA Numbered Memos May-July 2006

Memo	Title	Providers Affected
06-022	Medication Return, Donation and Disposal	Nursing Homes
06-025	Patient Privacy During Inpatient Psychiatric Treatment	Adult Family Homes, Community Based Residential Facilities, Hospitals, Area Administrators, County Mental Health Coordinators
06-027	Disaster Preparedness Memo	All Providers
06-028	Adult-At-Risk, including Elder Adult-At-Risk Reporting Requirements for Entities Regulated by the Office of Quality Assurance	All Providers
06-029	Assisted Living Section Regional Boundaries Effective January 1, 2007	Adult Day Care Centers, Adult Family Homes, Community Based Residential Facilities, Residential Care Apartment Complexes
06-030	Self-Report/Facility Reporting Requirements	Adult Family Homes, Community Based Residential Facilities, Residential Care Apartment Complexes
06-031	Post Survey Questionnaire Now Available via On-Line Survey	All providers
Upcoming Memos		
	Certification of Waivers and Variances Submitted to Program Certification Unit Memo	

Access these memos via http://dhfs.wisconsin.gov/rl_DSL/Publications/BQAnodMems.htm, or from individual providers' publications pages via http://dhfs.wisconsin.gov/rl_DSL/.

Statutory Changes Affecting Counties and DHFS Licensed or Certified Providers

2005 Wisconsin Acts 264 and 387 revised Chapter 55 and created Chapter 54 of the Wisconsin Statutes. The Acts amend, repeal, and create major portions of Wisconsin's protective services, protective placement, and guardianship laws. Act 264 changes became effective November 1, 2006, and Act 387 changes became effective December 1, 2006. The Coalition of Wisconsin Aging Groups (CWAG) has published an article, revised 11/20/06, available on their web site, entitled **Authority to Consent to Admission (Placement) to Nursing Homes, CBRFs, RCACs and Hospice**. This article provides guidance on who has the authority to consent to an individual's admission to nursing homes and certain other facilities, and the circumstances under which someone can make admission decisions.

The article is located on CWAG's website at

<http://www.cwag.org/uploads/Guardianship%20Support%20Center/Admissions%20outline%20Nov%2006.pdf>.

The article published by CWAG replaces the information contained in BQA Memorandum-94-026. We recommend you check CWAG's website monthly for updates to this article.

Administrative Rules Update

HFS 83 - Community Based Residential Facilities

The HFS 83 Rewrite Workgroup completed the initial draft of the proposed rules for Chapter HFS 83. The goal of the workgroup was to eliminate excessively prescriptive language and improve readability and organization. The proposed rule clarifies medication administration requirements and revises staff training standards, establishing a more cost-effective system for providers. Currently, the proposed rule is under review by the DHFS Office of Legal Counsel. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.

HFS 83 – Community Based Residential Facilities, HFS – 88 Adult Family Homes, HFS 89 – Residential Care Apartment Complexes, HFS 132 – Nursing Homes, HFS 134 – Facilities for the Developmentally Disabled

On December 15, 2006, the Wisconsin Administrative Register published a Statement of Scope of proposed rules to amend Chapters 83, 88, 89, 132 and 134 relating to involuntary administration of psychotropic medication. 2005 Wisconsin Act 264 created s. 50.02 (2) (ad), Stats., which directed the Department to promulgate rules that require the above named facilities to provide information to determine a facility's compliance with s. 55.14, Stats. An Advisory Committee, including all stakeholders, will be formed to review draft language and solicit comment for inclusion in the affected rules. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.

HFS 85 - Non-Profit Corporation as Guardian

On September 19, 2006, the Wisconsin Administrative Register published a Statement of Scope of proposed rules to amend Chapter HFS 85, Non-profit Corporation as Guardian. Through this initiative, the Department proposes to make the rule reflect current standards of practice for corporate guardianship agencies, recognizes the increase in the number of adults in need of guardianship, and the increase in the complexity of their needs. An Advisory Committee, including representatives from all stakeholders, has been formed and will meet to begin making recommendations for revision to the rule. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.

HFS 124 - Hospitals

On April 1, 2005, the Wisconsin Administrative Register published a Statement of Scope of proposed rules to amend Chapter 124. The Department is planning to update Chapter HFS 124 to eliminate overly prescriptive regulations, clarify the Department's enforcement authority, and make the rule more consistent with the federal Medicare requirements. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.

HFS 129 - Certification Programs for Training and Testing Nurse Assistants, Home Health Aides and Hospice Aides

On March 31, 2006, the Wisconsin Administrative Register published a Statement of Scope of proposed rules to amend Chapter HFS 129. Through this initiative, the Department proposes to make the rule more consistent with federal regulations, to include the feeding assistant and medication aide training and testing program requirements, and to reflect the Department's decision to standardize administration and operation of nurse aide competency evaluation by contracting for this service. An advisory committee, including advocates, educators, association representatives, workforce development specialists, and representatives from private industry, meets regularly to review the proposed revisions to the rule and make changes, as necessary. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.

HFS 132 - Nursing Homes

OQA drafted proposed revisions to HFS 132 to eliminate duplicative state regulations that are already contained in other State law or federal nursing home regulations. The intent is to streamline the code by eliminating regulations that provide unnecessary specificity, and to adopt the applicable federal regulatory language. Public hearings were held the last week of July in Milwaukee, Eau Claire, Rhinelander, Green Bay, and Madison. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.

HFS 133 - Home Health Agencies

The HFS 133 Rewrite Workgroup, working with the advisory committee (including providers, consumers and association representatives) has completed the draft of the proposed rules for Chapter HFS 133. The goal of the committee was to make the rule consistent with federal regulations and to reflect current terminology and practice. The Rule Summary and draft rule are currently under review by the DHFS Office of Legal Counsel. For more information, you may view the Statement of Scope on the Wisconsin Administrative Rules website at <http://adminrules.wisconsin.gov/>.
