

**Bureau of
Quality Assurance**

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www.dhfs.state.wi.us

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New BQA Section for Assisted Living Regulatory Oversight

The Bureau of Quality Assurance received permission earlier this summer from the Department to create a section whose primary focus will be oversight of assisted living providers, CBRFs, Adult Family Homes, Adult Day Care, and Resident Care Apartment Complexes in Wisconsin.

Current oversight of these providers is managed through the Resident Care Review Section (RCRS) within the Bureau of Quality Assurance. Over the next 6 months to 1 year, BQA will separate assisted living oversight functions to create the new section. This entails moving staff currently overseeing the regulation of these facilities into the new section and the creation of a new Section Chief position. Kevin Coughlin, Regional Field Operations Director of the bureau's Northeastern Regional Office, has been appointed to this position, effective September 23, 2002.

Following the transition, regulatory oversight of all nursing home and facilities for persons with developmental disabilities (FDDs) will remain within the Resident Care Review Section, which may undergo a name change. A name for the newly created section has not yet been finalized although "Assisted Living Section" is being used in the interim.

Staff Changes in the Bureau of Quality Assurance

As many of you know, several long-time Bureau staff have recently retired. Some of them did not actually make it out the door, however! Phyllis Tschumper and La Vern (Woody) Woodford are back working as limited-term employees, allowing BQA to continue to tap their skills in various projects. Juan Flores promoted from heading the Southern Health Services Section survey team to Phyllis's place in the Southern Regional RCRS office. Jane Walters (HSS chief) will cover temporarily for Juan while training Jan Heimbruch, newly hired for the Northern team. Barbara Woodford has retired, and her Home Health advisory duties are now handled by Jean Siroky. Tony Oberbrunner and Carol Ringeisen have retired from RCRS, and Lynnette Traas has been hired to work in the Nursing Home section. The Regional Field Operations directors will take over Tony's IDR duties (see BQA memo 02-013). Kevin Coughlin is serving as Interim Chief for RCRS in Woody's place, along with his new duties (see above).

BQA Numbered Memos Posted July-September 2002

Access BQA memos via www.dhfs.state.wi.us/rl_DSL/Publications/BQAnodMems.htm for all memos or individual providers' Publications pages via www.dhfs.state.wi.us/licensing.htm.

Memo	Title	Providers Affected
02-012	Voluntary & Mandatory Medical Device Reporting - Food and Drug Administration	All Providers
02-013	Informal Dispute Resolution (IDR) Update (obsoleting BQA memo 00-061)	Nursing Homes, Facilities for Developmentally Disabled
02-014	Recall of Fire Protection System Sprinklers	Community Based Residential Facilities
02-015	Current List of Wisconsin Facilities with Dedicated Units for the Care of Ventilator-Dependent Persons (obsoleting memo 99-071)	Home Health Agencies, Hospitals, Nursing Homes
02-016	Four-Year Anniversary of the Wisconsin Caregiver Law	Adult Family Homes, Certified Mental Health and Alcohol and Other Drug Abuse Treatment Programs, Community Based Residential Facilities, Facilities for the Developmentally Disabled, Home Health Agencies, Hospices, Hospitals, Nurse Aide Training Programs, Nursing Homes, Residential Care Apartment Complexes
02-017	Wisconsin Nurse Aide Registry and Competency Testing Services Update	Adult Family Homes, Certified Mental Health and Alcohol and Other Drug Abuse Treatment Programs, Community Based Residential Facilities, Facilities for the Developmentally Disabled, Home Health Agencies, Hospices, Hospitals, Nurse Aide Training Programs, Nursing Homes, Residential Care Apartment Complexes
02-18	Requirements for Administering Medications in Resident Care Apartment Complexes	Residential Care Apartment Complexes

Reminder about BQA Memos: Older memos will often list staff, mailing addresses and phone numbers that are no longer current. If unsure who to call, please check the Contacts page for your provider type on the DHFS Licensing site at www.dhfs.state.wi.us/licensing.htm.

We are planning to publish the following in upcoming weeks:

Proposed Memo Title	Providers Affected
Certification of County-Private Contracted Mental Health and AODA Programs	Mental Health, Alcohol and Other Drug Abuse Treatment Programs

Consumer Information Reports

The Consumer Information Reports for 2001 for nursing homes and facilities for the developmentally disabled were recently posted to the Internet at www.dhfs.state.wi.us/bqaconsumer/NursingHomes/CIRindex.htm. A change this year was mailing out only the summaries of individual facility reports to providers instead of the full reports. Also, 1999 reports were removed from the Internet, in line with our policy to maintain only two years' worth of reports on the site.

Read This if Your Facility is Performing Laboratory Testing

The Clinical Laboratory Unit in the Bureau of Quality Assurance has been made aware of a number of facilities performing tests on human specimens that have not been certified to do so. Following is some information about the requirements for performing human specimen testing:

Under the authority of Section 353 of the federal Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988 (CLIA) require all facilities performing tests on human specimens to be certified. The regulations that implemented CLIA became effective September 1, 1992.

These regulations also apply to testing performed in care and service residential facilities. Collection of blood or other specimens does **not** require CLIA certification. Testing specimens is regulated and requires a CLIA certificate. Testing of human specimens such as whole blood glucose or occult blood (stool or gastric) requires a CLIA Certificate of Waiver.

Information concerning waived testing is now available as a permanent feature on the Internet at www.dhfs.state.wi.us/rl_DSL/Labs/LABSwavedTests.htm. This link has also been placed on the Providers pages for individual facility types. This information was originally mailed out as BQA memos 99-013 and 00-082; these memos will now be retired as the list of waived testing they originally contained is being kept up to date on the Internet.

For questions or to obtain an application for CLIA certification, please contact the Clinical Laboratory Unit, (608) 266-5753 or E-mail plicclia@dhfs.state.wi.us. CLIA applications are also available via the federal CLIA site at www.cms.gov/forms.

CMS/HCFA Web Site Address Changes

As of September 4th, the hcfa.gov website was replaced by the new cms.hhs.gov website. This follows the name change from Health Care Financing Administration (HCFA) to Centers for Medicare and Medicaid Services (CMS). There is more than one new address; material from hcfa.gov can now be found on www.cms.hhs.gov, http://cms.hhs.gov, www.medicaid.gov, and www.medicare.gov. While changing the "hcfa.gov" part of an old address to "cms.hhs.gov" may work in some cases, in others the file name or extensions were changed as well, or else no replacement was created for some older files. We have been updating our links to CMS pages during this time and will continue to evaluate the new CMS site for material of interest. As always, feel free to contact Todd McCall, BQA Web development, mccaltw@dhfs.state.wi.us or (608) 267-3808 with comments or suggestions.

Latest CMS Survey & Certification Letters

Below is a list of the Survey and Certification Letters that were distributed by CMS in the last quarter. Please be aware that some letters pertain only to state agency operations. Note also that the Internet addresses provided to access these from CMS directly are no longer available. If you have questions about individual letters, contact Susan Hesper of BQA at (608) 266-0582 or E-mail hesperj@dhfs.state.wi.us.

Title	Number	Date
Assigning Provider Identification Numbers To Home Health Agency Branches	02-37	8/8/02
Final Guidance Package for Clinical Laboratory Improvement Amendments of 1988 Federal Monitoring Survey Process (CLIA-FMS)	02-38	8/8/02
Nursing Home That Has No Arrangement to Provide Dialysis Services To Its Residents	02-39	8/8/02
Fiscal Year (FY) 2003 State Survey and Certification Budget Call Letter (original memo dated 7/2/02)	02-40	8/8/02
Proposed Changes to the Outcome and Assessment Information Set (OASIS) (see article below)	02-41	8/8/02
Use of Civil Money Penalty (CMP) Funds by States	02-42	8/8/02
Centers for Disease Control and Prevention (CDC) Revised Recommendations for Single-Use Intravenous Medication Vials in End-Stage Renal Disease (ESRD) Facilities (posted to the Internet via the DHFS Licensing ESRD pages)	02-43	9/12/02
Impact of Nursing Shortage on Hospice Care (posted to the Internet via the DHFS Licensing Hospice pages)	02-44	9/12/02
Comparative Surveys for Fiscal Year 2003	02-45	9/12/02

Proposed Changes to the Outcome and Assessment Information Set (OASIS)

The Bureau of Quality Assurance (BQA) received memorandum S&C-02-41, dated August 8, 2002, from the Center for Medicaid and State Operations under the Centers for Medicare & Medicaid Services (CMS). The memo provides information on proposed changes to the OASIS data set. The proposed changes are part of the Department of Health and Human Services' effort to reduce regulatory burdens in health care. For information on the changes, access this memorandum at: www.dhfs.state.wi.us/rl_DSL/HHAs/scltr02-41.pdf

OASIS is the set of data items HHAs collect during the course of a patient's care. Proposed changes to OASIS are currently in the clearance process within CMS and will not be implemented until approved by the Office of Management and Budget. You can obtain a draft of the proposed OASIS data set, known as OASIS B-1 (12/2002), and the revised data specifications on the newly migrated CMS website at: <http://www.cms.hhs.gov/oasis/hhnew.asp>

CMS expects to implement the proposed changes on December 16, 2002. We are advising you of the changes at this time so you can plan and prepare for this implementation.

See the [Upcoming Training section](#) for information on satellite training on these changes.

CMS Quarterly Provider Update

From the CMS Program Memorandum AB-02-049:

To make it easier for providers to understand and comply with Medicare regulations and instructions, the Centers for Medicare and Medicaid Services will issue a quarterly update of all changes to Medicare instructions that affect providers. The Quarterly Provider Update will be a single source of national Medicare provider information. The first issue released April 22, 2002, can be found on the Internet at www.cms.hhs.gov/providerupdate.

Each issue will include (courtesy of the *Federal Register*) the full text of regulations published the previous quarter and advance notice of regulations to be published within the next 90 days. The full text of instructions to be implemented beginning the following quarter will also be included. For example, instructions with an implementation date of July 1, 2002, or shortly thereafter are included in the April Update.

The Update will be organized by provider type. Each provider type (e.g., hospitals, home health agencies, and physicians) will be able to follow the appropriate hyperlinks to view regulations and instructions that affect them. Comments on organization, format, and utility will be solicited via a feedback form in the Update.

Although the Update will be released on a quarterly basis, you will still receive instructions from CMS on a flow basis. The method of issuing electronic advance copies of manual instructions and program memoranda via the DRI e-mail resource will not change. Also, instructions will continue to be posted routinely to the CMS web site.

CMS: Revised Guidelines on Single-Use Intravenous Medication Vials

The Centers for Disease Control and Prevention (CDC) issued a July 5, 2002 letter to the Centers for Medicare and Medicaid Services (CMS) revising its recommendations on the repeated use of single-use vials by end-stage renal dialysis (ESRD) facilities. Accordingly, ESRD facilities must immediately institute the current recommendations relative to infection control and prevention. CMS expects that facilities will continue the practice of one time use of single-use vials or else follow the specific recommendations as indicated in the referenced web site. ESRD facilities will be monitored based upon these revised CDC guidelines. For more information, see www.dhfs.state.wi.us/rl_DSL/ESRD/ESRDvialsCMS.htm

Enhancement to CASPER Reporting Application

The federal Certification And Survey Provider Enforcement and Reporting (CASPER) system is the online reporting application that provides home health agencies the capability to generate their OBQI, OBQM, and HHA Reports. Home health agencies use the State OASIS System to access CASPER. CASPER now allows users the ability to request multiple OBQI or OBQM reports in one submission process.

The OBQI Report Category now includes the OBQI Report Package that contains the following OBQI reports:

- Case Mix for RAO - 2 Column Report
- Outcome: Description - 2 Bar Report
- Outcome: Risk Adjusted - 2 Bar Report
- Tally: Case Mix Report
- Tally: Outcome Report

The OBQM Report Category includes the OBQM Report 2 Column Package and the OBQM Report 3 Column Package. The OBQM report 2 Column Package contains the following reports:

- Patient Listing Report
- Case Mix 2 Report
- AEO-Graph 2 Report

The OBQM Report 3 Column Package contains the following reports:

- Patient Listing Report
- Case Mix 3 Report
- AEO-Graph 3 Report

The actual reports will appear individually under Folders in the user's inbox, as if run separately. A CASPER reporting access manual is available for download from the main OASIS System Welcome page.

Looking for Rule Information?

The State of Wisconsin's rule making process involves the public by including experts to assist in the actual drafting of proposed rules, gathering public information, and holding public hearings before a rule is promulgated.

Providers become aware of and contribute to the rule making process through their involvement with various associations or reading public notices. Another excellent source to learn more about the proposed rules under development is via the DHFS website at <http://www.dhfs.state.wi.us/reference.htm>

By visiting this website, providers can view a "Statement of Scope" for any proposed rules under development and view the other various stages of the rules promulgation process. The scope document must be approved by the Department of Health and Family Services (DHFS) Secretary's office and published in the Wisconsin Administrative Register before drafting rules. It is also a notice of rule making intent to the public.

Bureau of Quality Assurance (BQA) Administrative Rules Update

HFS 83- "Community Based Residential Facilities" (CBRFs)

- ***BQA internal workgroup is currently drafting new language for the rulemaking order.***

HFS 124- "Hospitals"

- ***BQA internal workgroup continues to draft and review rules for the rulemaking order.***

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

- ***BQA is in the process of drafting a Statement of Scope to give notice of rulemaking intent.***

HFS 132- "Nursing Homes"

- ***The BQA internal workgroup is drafting rules that are subject of the Statement of Scope.***

For Questions about BQA rules, contact Cheryl Bell-Marek at (608) 264-9896 or e-mail at bellmcj@dhfs.state.wi.us

Upcoming Seminar/Training Opportunities

Programs	Locations and Dates
MDS Automation	Wisconsin Dells, November 5, 2002
Beyond RAI Basics – Assessment and Care Planning	Wisconsin Dells, November 12, 2002

Also check the Provider or What's Happening sections for individual health care providers on the DHFS Website www.dhfs.state.wi.us via the Licensing page. For registration questions, contact the Bureau of Quality Assurance Training Coordinator at (608) 267-1438.

Satellite Training on OASIS Changes

On November 22, 2002, CMS will broadcast a satellite training to explain and answer questions on the OASIS changes. The program is intended for home health agencies, home health provider associations, state and regional offices. The program will be broadcast **12:00 noon – 2:00 p.m. Central Daylight Time.**

BQA and the Wisconsin Homecare Organization (WHO) are working together to make the satellite training available to all home health providers and interested parties in Wisconsin. WHO has arranged 10 statewide viewing sites for the satellite broadcast. There is **no cost** to attend the broadcast at one of these viewing sites.

Viewing sites for CMS satellite training on OASIS changes

The following table lists the county and address of each viewing location, maximum seating capacity, and name and telephone number of the contact person.

County	Viewing Site Address	Maximum Seating	Contact Person/ Telephone Number
Dunn	Dunn County UW Extension Ad Center 390 Red Cedar Street Suite D, Menomonie	35	Lana Anderson 715/232-1636
Brown	Brown County UW Extension County Ag & Ext. Center 1150 Bellevue Street, Green Bay	35	Kathy DeChamps 920/391-4610
Grant	Grant County UW Extension County Youth and Ag Center 916 E. Elm Street, Lancaster	25	Cathy McPhail 608/723-2125
Jefferson	Jefferson County UW Extension 864 Collins Road, Jefferson	25	Linda Wolfridge 920/674-7295
La Crosse	La Crosse County Extension Administration Center 400 N. 4 th Street, La Crosse	20	Susan Hanson 608/785-9593

Marathon	Marathon County UW Extension 212 River Drive, Suite 3, Wausau	45	Mary Slagoski 715/261-1231
Marquette	Marquette County UW Extension Marquette Services Center 480 Underwood Avenue, Montello	15	Jackie 608/297-9153
Price	Price County UW Extension Normal Building, Room 240 104 S. Eyder Avenue, Phillips	25	Jan Hardginski 715/339-2555
Sauk	Sauk County UW Extension West Square Administration Bldg. 505 Broadway, Baraboo	20	Lynn Olson 608/355-3250
Waukesha	Waukesha County UW Extension Administration Center 1320 Pewaukee Road, Waukesha	80	Donna or Marie 262/548-7770

Registration is a 2-step process. You **must** register with both CMS **and** the Wisconsin viewing site.

- *CMS registration:*
Access the CMS website, <http://www.cms.hhs.gov/oasis/hhnew.asp>, for instructions on registration for the satellite broadcast.
- *Viewing site registration:*
Locate the viewing site you wish to attend. Call the contact person to inform them of your intention to attend the broadcast. The contact person can provide you with directions and parking information.

Further information on satellite training

CMS will publish detailed information on the training and how to obtain training materials as the date approaches. When it becomes available, you may access this information on the CMS website at: <http://www.cms.hhs.gov/oasis/hhnew.asp>

Wisconsin No Call List Consumer/Caregiver Sign-up

Families, caregivers, nursing homes, and other health care and residential facilities are encouraged to put people in their care on the No Call list via the Internet at **NoCall.Wisconsin.gov** (<https://nocall.wisconsin.gov/web/home.asp>) or by calling toll-free in Wisconsin 1-866-966-2255 (1-866-9No-Call). The No Call law orders telemarketers not to call people on the list or face prosecution. Attached to this newsletter is a [form that can also be used](#).

"We heard from families, nursing homes, caregivers, and associations for the elderly and disabled that they needed help protecting their clients from aggressive telemarketers," says Fran Tryon, administrator of Trade and Consumer Protection. "That's why our rule allows families to help elderly members to sign up. What's more, nursing homes, hospitals, and other institutions can put all their patients and clients on the list simply by filling out a form available on the No Call website, or by calling our toll free hotline: 1-800-422-7128."

