



A PUBLICATION FOR AND ABOUT DQA AND DQA-REGULATED HEALTHCARE PROVIDERS  
**JULY 2016**

**TABLE OF CONTENTS**

FOCUS 2016 .....	1
Nursing Home Residents Electing Hospice Services .....	2
Visitation by Family Members .....	2
Health Care in the Built Environment Conference .....	2
One-Stop Plan Review for CBRF and Hospice Construction Projects .....	2
The OASIS Education Forum: New Date for HHAs .....	3
Changes in DQA Staff .....	3
DQA Numbered Memos .....	4
CMS Survey and Certification Letters .....	6
DQA Publications .....	8



**DQA CONTACTS**

**ADMINISTRATOR**

Otis Woods

**QUARTERLY EDITOR**

Gina Bertolini  
Records and Forms Management Specialist  
[gina.bertolini@dhs.wisconsin.gov](mailto:gina.bertolini@dhs.wisconsin.gov)  
608-266-8368

**CENTRAL OFFICE**

Division of Quality Assurance  
PO Box 2969  
Madison, WI 53701-2969  
608-266-8481 (T)  
608-266-7376 (TTY)  
608-267-0352 (F)  
<http://www.dhs.wisconsin.gov>

**EMAIL SUBSCRIPTION SERVICES**

<https://www.dhs.wisconsin.gov/regulations/listserv-signup.htm>

**FOCUS 2016**

**BUREAU OF EDUCATION SERVICES AND TECHNOLOGY**



**Special Session:** *The Art and Science of Chronic Disease Management*  
Wednesday, November 16, 2016

**FOCUS 2016 Conference:** *Teach, Learn, Collaborate*  
Thursday, November 17, 2016

The Wisconsin Department of Health Services (DHS), Division of Quality Assurance (DQA), is pleased to announce the 15th annual FOCUS conference for health care providers and DQA staff on November 16 and 17, 2016, at the Kalahari Convention Center in Wisconsin Dells. The Focus 2016 Conference is being developed in collaboration with DQA staff, health care providers, and provider association representatives.

This year's Special Session is *The Art and Science of Chronic Disease Management* and will address many of the most common chronic diseases faced by residents residing in Wisconsin health care facilities. David Mays, MD, PhD, will deliver the keynote address titled, *Letting Go of Happiness, Holding on to Mental Health*.

The theme of the FOCUS 2016 Conference is *Teach, Learn, Collaborate*. The conference will address a wide variety of health care related topics. Christopher Ridenhour, BA, will deliver the keynote address titled, *Light 'em Up and Watch 'em Go!*

Registration for FOCUS will begin in early September. Watch your DQA listserv for the date. Save the dates and stay tuned for more information!

## Nursing Home Residents Electing Hospice Services

### BUREAU OF NURSING HOME RESIDENT CARE

The Division of Quality Assurance has rescinded DQA Memo 96-025 issued May 2, 1996, and repealed the statewide waiver of several requirements in Wis. Admin. Code ch. DHS 132 for nursing home residents who receive hospice services. It is important to note that any such existing waivers are no longer in effect.

Nursing homes and hospices that are jointly serving hospice patients in nursing homes are directed to DQA publication P-00252, *Hospice –Nursing Home Interface: Guidelines for Care Coordination for Hospice Patients Who Reside in Nursing Homes*, at <https://www.dhs.wisconsin.gov/publications/p0/p00252.pdf>. The guideline is not a regulatory requirement, but is consistent with state and federal regulations if properly implemented.

If a nursing home wishes to request a waiver or variance of a requirement identified in ch. DHS 132, it must submit the request to [DHSWebmailDQA@dhs.wisconsin.gov](mailto:DHSWebmailDQA@dhs.wisconsin.gov) following the procedures outlined in Wis. Admin. Code § DHS 132.21.

## Visitation by Family Members—Hospital, Hospice, Nursing Home, CBRF

2015 Wisconsin Act 343 created Wis. Stat. §§ 50.085 and 54.68(2)(cm) relating to the visitation of residents by family members. Act 343 allows an adult child who is being prevented from visiting or communicating with his or her parent to petition a court for visitation. This law applies to a parent who is a resident of a hospital, hospice, nursing home, or community-based residential facility. The court may not grant an adult child's petition for visitation if the court finds that the resident, while having the capacity to evaluate and communicate decisions regarding visitation, expresses a desire to not have visitation with that adult child, or that the visitation would not be in the resident's best interest.

## Health Care in the Built Environment Conference

### OFFICE OF PLAN REVIEW AND INSPECTION

The Division of Quality Assurance is pleased to announce the Office of Plan Review and Inspection's first "Health Care in the Built Environment Conference" for DQA staff, building administrators, health care facility builders, designers, and facility owners. The conference will be on Thursday, October 27, 2016, at La Sure's Banquet Hall in Oshkosh. Registration for the conference will begin August 15.

The conference will focus on three components—changing health care delivery models, facility design, and the regulatory environment that shapes the built environment of health care. These components will take all stakeholders from the regulatory model through planning, construction, and into occupancy. Watch the DQA listserv for more information about the conference and online registration!

## One-Stop Plan Review for CBRF and Hospice Construction Projects

### OFFICE OF PLAN REVIEW AND INSPECTION

In January 2016, the DQA Office of Plan Review and Inspection (OPRI) became responsible for submittal and full review of construction plans for community-based residential facilities (CBRF) and hospice facilities. This transition streamlines the plan review process by reducing it from a two-state agency to a one-state agency process.

Potential CBRF projects are now addressed from pre-design meetings through the construction phase by OPRI. Projects subject to review now include new construction, additions, alterations, change of use, as well as licensure

changes. Review of construction documents and conditional approvals by OPRI shall precede municipal permitting for the construction to start.

## The OASIS Educational Forum: Next Date for Home Health Agencies

### BUREAU OF EDUCATION SERVICES AND TECHNOLOGY

DQA will continue to sponsor its educational venue to help Wisconsin home health agencies keep current with evolving OASIS information. Entitled, *The OASIS Educational Forum*, Wisconsin's OASIS Education and Automation Coordinators conduct these live educational offerings on a quarterly basis, presenting the newest OASIS-related information. The next forum is scheduled for **Tuesday, August 30, at 1:00 p.m.**, for 60 to 75 minutes.

*The OASIS Educational Forum* utilizes an "internet meeting format" via your computer for sharing the updated OASIS information, thereby eliminating travel time for you! If you are new to this computer meeting format, it is highly recommended that you learn more and test your computer for connection compatibility prior to the day of the forum by going to [https://connect.wisconsin.gov/common/help/en/support/meeting\\_test.htm](https://connect.wisconsin.gov/common/help/en/support/meeting_test.htm).

On the day of the broadcast, connect online to our free "virtual meeting room," broadcast approximately 10 minutes prior to the start of the training, at <https://connect.wisconsin.gov/dhsdqa Oasis>. Enter our online meeting room as a "Guest," signing in with the name of your HHA.

To request any specific OASIS-related topics for discussion in the next forum, send an email to [MaryJo.Sutton@dhs.wisconsin.gov](mailto:MaryJo.Sutton@dhs.wisconsin.gov).

## Changes in DQA Staff

### BUREAU OF ASSISTED LIVING

#### **Promotion: Linda Boswell, Assisted Living Regional Director (SRO / Madison)**

Linda Boswell began her responsibilities as Assisted Living Regional Director at the DQA Southern Regional Office in Madison on May 2, 2016.

#### **New Appointment: Maxine Johnson, License/Permit Program Associate (SERO / Milwaukee)**

Maxine Johnson began her LPPA responsibilities on May 2, 2016, and is located in the DQA Southeastern Regional Office in Milwaukee.

#### **New Appointment: Rothea Hunt, License/Permit Program Associate (SERO / Milwaukee)**

Rothea Hunt began her LPPA responsibilities on May 2, 2016, and is located in the DQA Southeastern Regional Office in Milwaukee.

#### **New Appointment: Carri Rasch, License/Permit Program Associate (NERO / Green Bay)**

Carri Rasch began her LPPA responsibilities on May 16, 2016, and is located in the DQA Northeastern Regional Office in Green Bay.

### BUREAU OF EDUCATION SERVICES AND TECHNOLOGY

#### **New Appointment: Steve Schuh, Quality Assurance Program Specialist Senior / (NERO / Green Bay)**

Steve Schuh will be filling the new Mental Health/AODA/Dementia Consultant position in the Education Services Section effective July 24, 2016. He will work from the DQA Northeastern Regional Office in Green Bay.

### BUREAU OF HEALTH SERVICES

#### **New Appointment: Julie Frank, Nursing Consultant I (SERO / Milwaukee)**

Julie Frank began her surveyor responsibilities for the Acute Care Compliance Section—South on April 18, 2016, and works from the DQA Southeastern Regional Office in Milwaukee.

#### **New Appointment: Leslie Wagner, Nursing Consultant I (CO / Madison)**

Leslie Wagner began her surveyor responsibilities for the Acute Care Compliance Section—North on April 18, 2016, and works from the DQA Central Office in Madison.

---

**New Appointment: Lori Weisse, Nursing Consultant I (SERO / Milwaukee)**

Lori Weisse began her surveyor responsibilities for the Acute Care Compliance Section—South on April 18, 2016, and works from the DQA Southeastern Regional Office in Milwaukee.

**New Appointment: Samuel Brookins, Nursing Consultant I (SERO / Milwaukee)**

Samuel Brookins began his surveyor responsibilities for the Acute Care Compliance Section—South on May 31, 2016, and works from the DQA Southeastern Regional Office in Milwaukee.

**New Appointment: Andrea Hando, Nursing Consultant I (SERO / Milwaukee)**

Andrea Hando began her surveyor responsibilities for the Acute Care Compliance Section—South on May 15, 2016, and works from the DQA Southeastern Regional Office in Milwaukee.

**BUREAU OF NURSING HOME RESIDENT CARE**

**New Appointment: Sonja Murray, Quality Assurance Program Specialist (NRO / Rhinelander)**

Sonja Murray began her new position as Quality Assurance Program Specialist on June 27, 2016.

**OFFICE OF CAREGIVER QUALITY**

**New Appointment: Richard Basiliere, Consumer Protection Investigator—Advanced (CO / Madison)**

Richard Basiliere begins his position as Consumer Protection Investigator—Advanced on July 10, 2016.

**OFFICE OF PLAN REVIEW AND INSPECTION**

**New Appointment: Michael Bowman, Civil Engineer—Advanced (WRO / Eau Claire)**

Michel Bowman began his position as Civil Engineer—Advanced on May 15, 2016, and works from the DQA Western Regional Office in Eau Claire.

**DQA Numbered Memos (April, May, June)**

More DQA numbered memos can be accessed at <https://www.dhs.wisconsin.gov/dqa/memos/index.htm>.

Number and Affected Provider(s)	Title and Summary
<p style="text-align: center;"><b>16-006</b></p> <ul style="list-style-type: none"> <li>• Adult Family Homes</li> <li>• Community-based Residential Facilities</li> <li>• Facilities Serving People with Developmental Disabilities</li> <li>• Nursing Homes</li> <li>• Residential Care Apartment Complexes</li> </ul>	<p><b>Revised Guidance for the Safe Use of Oxygen—Use of Hair Dryers</b></p> <p>This memo replaces DQA Memo 12-005.</p> <p>The purpose of this memorandum is to provide updated guidance regarding the safe use of hair dryers by residents who are receiving oxygen therapy in residential and health care facilities.</p> <p>Life Safety Code regulations state that the resident nasal cannula or face mask must be at least one foot away from the heating element (NFPA 99 section 8-2.1.2.3.). <i>As a result, resident nasal cannula or face mask oxygen use is permitted when the heat source of the hair dryer is located on or near the floor; i.e., the base of the hair dryer.</i></p>
<p style="text-align: center;"><b>16-007</b></p> <ul style="list-style-type: none"> <li>• Area Administrators/Assistant Administrators</li> <li>• Bureau Directors</li> <li>• County Department of Human Services Directors</li> <li>• County Mental Health Coordinators</li> <li>• Tribal Chairpersons/Human Services Facilitators</li> <li>• Certified Outpatient Mental Health Clinics</li> <li>• Community Substance Abuse Service Providers</li> </ul>	<p><b>Variance Needed for Use of a Licensed Mental Health Professional to Approve Emergency Mental Health Crisis Plans and Response Plans</b></p> <p>This memo replaces DMHSAS-DQA Memo 2009-08 issued November 2, 2009, and repeals a formerly approved statewide variance of Wis. Admin. Code § DHS 34.21(3)(b) to expand the list of qualified mental health professionals that may approve emergency mental health crisis plans and response plans to include individuals listed under (b) 1-7. The previous memo also extended the time frame for response plan approval from five days after the delivery of services required in § DHS 34.23(5)(b), to 14 days after the delivery of services.</p> <p><i>(continued)</i></p>

<ul style="list-style-type: none"> <li>Hospitals</li> </ul>	
<p style="text-align: center;"><b>16-008</b></p> <ul style="list-style-type: none"> <li>Emergency Mental Health Service (DHS 34)</li> <li>Outpatient Mental Health Clinic (DHS 35)</li> <li>CCS-Persons w/Mental Health and Substance Use Disorders (DHS 36)</li> <li>Mental Health Day Treatment Services for Children (DHS 40)</li> <li>Mental Health Inpatient-Adult/Adolescent (DHS 61.71/61.79)</li> <li>Mental Health Day Treatment (DHS 61.75)</li> <li>CSP for Persons w/Chronic Mental Illness (DHS 63)</li> <li>Emergency Outpatient Services (DHS 75.05)</li> <li>CSAS Medically Managed Inpatient Detox Services (DHS 75.06)</li> <li>CSAS Medically Managed Residential Detox Services (DHS 75.07)</li> <li>CSAS Ambulatory Detox Services (DHS 75.08)</li> <li>CSAS Residential Intoxication Monitoring Services (DHS 75.09)</li> <li>CSAS Medically Managed Inpatient Treatment Services (DHS 75.10)</li> <li>CSAS Medically Managed Treatment Services (DHS 75.11)</li> <li>CSAS Day Treatment Services (DHS 75.12)</li> <li>CSAS Outpatient Treatment Services (DHS 75.13)</li> <li>CSAS Transitional Residential Treatment Services (DHS 75.14)</li> <li>CSAS Narcotic Treatment Services for Opiate Addiction (DHS 75.15)</li> <li>Community-Based Residential Facilities (DHS 83)</li> <li>Adult Family Homes (DHS 88)</li> <li>Nursing Homes (DHS 132)</li> <li>Facilities Serving People with Developmental Disabilities (DHS 134)</li> </ul>	<p><b>Centralized Reporting of Client/Patient/Resident Death Determination</b></p> <p>The purpose of this memorandum is to provide information and resources to health care facilities required to report deaths related to physical restraint/seclusion, psychotropic medications, or suicide via DQA form F-62470, <i>Client/Patient/Resident Death Determination</i>. This memo provides information regarding the new centralized location for reporting purposes.</p>

## CMS Survey and Certification Letters (April, May, June)

Listed below are Survey and Certification (S&C) Letters distributed by The Centers for Medicare and Medicaid Services (CMS) since our last issue was published. The CMS Internet site for reviewing all memos is located at <http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Policy-and-Memos-to-States-and-Regions.html>.

Number and Affected Provider(s)	Title and Summary
16-13-NH	<p><b>Payroll-Based Journal (PBJ)—Implementation of Required Electronic Submission of Staffing Data for Long-Term Care (LTC) Facilities</b></p> <p>This memo provides information about the requirement for LTC facilities to electronically submit staffing data through the PBJ; reminds providers of the voluntary submission period ending June 30, 2016, and the mandatory submission period beginning July 1, 2016; restates instructions on how to register and where to find instructions to submit data; notifies stakeholders of the posting of the revised and final PBJ policy manual and related information at <a href="http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/Staffing-Data-Submission-PBJ.html">http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/Staffing-Data-Submission-PBJ.html</a>; and alerts nursing homes that it may use its enforcement authority for noncompliance with the requirement to submit data.</p>
16-14-NH	<p><b>Release of 2015 Nursing Home Data Compendium</b></p> <p>The data compendium presents five years of nursing home survey outcomes for the more than 15,000 nursing homes participating in Medicaid and Medicare, and four years of data on the more than 1.4 million residents who reside in nursing homes each day. To access the compendium, go to: <a href="https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/NHs.html">https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/NHs.html</a></p>
16-15-NH	<p><b>State Operations Manual (SOM) Surveyor Guidance Revisions Related to Psychosocial Harm in Nursing Homes</b></p> <p>This memo provides information pertaining to CMS: (1) revisions to guidance to surveyors in Appendix PP of the SOM under F329 to enhance ease of use for surveyors and to include language related to how unnecessary use of medications may cause psychosocial harm to residents, (2) revisions to language in the Psychosocial Outcome Severity Guide in Appendix P of the SOM, and (3) additional language to selected F tags to emphasize the risk of psychosocial harm associated with noncompliance with specific regulations. The regulatory language remains unchanged.</p>
16-16-CLIA	<p><b>Guidance for the Deployment of the Emergency Use Approval (EUA) Zika Virus Tests</b></p> <p>This memo provides guidance regarding the deployment of the EUA Zika Virus Tests, approved by the Clinical Laboratory Improvement Amendments (CLIA), to state and local public health laboratories (PHLs) by the CDC.</p>
16-17-NH	<p><b>Affordable Care Act Section 6103: Guidance for State Consumer-Oriented Websites—Update to Survey and Certification Letter 11-41-NHs</b></p> <p>This memo provides a list of key elements for state website development for states to qualify for federal funding. Effective March 23, 2010, states must maintain consumer-oriented websites providing information regarding all skilled nursing facilities and nursing facilities within their state. State websites are expected to be completed and be accessible to consumers as soon as possible, but not later than January 1, 2018.</p>
16-18-CLIA	<p><b>Personnel Policies for Individuals Directing or Performing Non-Waived Tests</b></p> <p>REVISED May 3, 2016, due to typographical error under citation of § 493.1443(b)(3). This policy memo supersedes S&amp;C-10-07-CLIA, <i>Consolidation of Personnel Policies for Individuals Directing or Performing Non-waived Tests under the Clinical Laboratory Improvement Amendments (CLIA)</i>.</p>

16-19-ALL	<p><b>Computed Tomography (CT) Compliance Clarifications under Section 218(a)(1) of the Protecting Access to Medicare Act (PAMA)—Information Only</b></p> <p>This policy memo was revised April 15, 2016, to clarify questions regarding oversight. State and federal surveyors will not be expected to determine compliance with Advanced Diagnostic Imaging (ADI) suppliers or hospital outpatient department requirements. Accrediting Organizations (AOs) will be evaluating compliance on a periodic basis; state agency and regional office staff have no role to play in this process.</p> <p>CMS is providing compliance and payment clarifications based on stakeholder questions regarding National Electrical Manufacturers Association (NEMA) XR-29 Standard.</p> <p>The attached FAQs aim to clarify stakeholder uncertainty and to include aspects of payment reductions if CT systems are found noncompliant.</p>
16-20-CLIA	<p><b>Policy Clarification on Acceptable Control Materials Used when Quality Control (QC) is Performed in Laboratories</b></p> <p>This memo provides clarification regarding policy on acceptable control materials, function checks and procedural controls, and guidance for surveyors.</p>
16-21-ALL	<p><b>Guidance to Surveyors on Federal Requirements for Providing Services to Justice-Involved Individuals</b></p> <p>This memo provides clarification of requirements for providing services to justice-involved individuals in skilled nursing facilities, nursing facilities, hospitals, psychiatric hospitals, critical access hospitals, and intermediate care facilities for individuals with intellectual disabilities. Specifically, this guidance seeks to assure high quality care that is consistent with essential patient rights and safety for all individuals.</p>
16-22-LSC	<p><b>Notification of Final Rule Published: Adoption of 2012 Life Safety and Health Care Facilities Code</b></p> <p>On May 4, 2016, CMS published a final rule titled “Medicare and Medicaid Programs: Fire Safety Requirements for Certain Health Care Facilities,” which updates the fire safety requirements for health care providers and suppliers. This regulation requires certain providers and suppliers to meet the requirements of the 2012 edition of the Life Safety Code (LSC), National Fire Protection Association (NFPA) 101 and the 2012 edition of the Health Care Facilities Code, NFPA 99.</p>
16-23-AO/ASCs	<p><b>Approval of The Institute for Medical Quality’s (IMQ’s) Ambulatory Surgical Center (ASC) Accreditation Program</b></p> <p>This memo announces the CMS decision to recognize and approve IMQ’s accreditation program for ASCs seeking to participate in the Medicare program via deemed status.</p>
16-24-Hospitals	<p><b>Solid Transplant Programs—Outcome Thresholds—Revised Guidelines</b></p> <p>This memo addresses the Medicare Conditions of Participation (CoPs) requirement that each solid organ transplant program maintain patient and graft survival rates that are within certain CMS tolerance limits and provides notification of the revision of Interpretive Guidelines.</p>
16-25-NH	<p><b>Draft Long-Term Care Facility (LTCF) Resident Assessment Instrument (RAI) 3.0 User’s Manual, Version 1.14, Release</b></p> <p>CMS has posted a <b>draft</b> version of the LTCF RAI 3.0 User’s Manual, Version 1.14, to the Nursing Home Quality Initiative webpage so that users can preview significant changes before they become effective October 1, 2016.</p>
16-26-NH	<p><b>Fiscal Year (FY) 2016 to FY 2017 Nursing Home Action Plan</b></p> <p>The FY 2016 to 2017 Nursing Home Action Plan is posted on the CMS website at <a href="http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandComplianc/NHs.html">http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandComplianc/NHs.html</a>.</p>

16-27-NH	<p><b>Public Release of Nursing Home Enforcement Information Announcement</b></p> <p>CMS is posting information at <a href="http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationEnforcement/Nursing-Home-Enforcement.html">http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationEnforcement/Nursing-Home-Enforcement.html</a>, which includes data on nursing home enforcement actions between 2006 and 2014.</p>
16-28-NH	<p><b>Update Report on the National Partnership to Improve Dementia Care in Nursing Homes</b></p> <p>CMS has released the second report that provides a brief overview of the National Partnership, summarizes activities following the release of Survey &amp; Certification policy memorandum 14-19-NH, and outlines next steps. The report describes the results of the Focused Dementia Care Surveys conducted in FY 2015.</p>
16-29-LSC	<p><b>Adoption of the 2012 Edition of the National Fire Protection Association (NFPA) 101—Life Safety Code (LSC) and 2012 edition of the NFPA 99—Health Care Facilities Code (HCFC)</b></p> <p>CMS has adopted by regulation the 2012 LSC and the 2012 HCFC effective July 5, 2016.</p> <p>CMS will begin surveying for compliance with the 2012 LSC and HCFC on November 1, 2016 and offer an online transitional training course for existing LSC surveyors to provide an update on the new requirements. The course will be available on September 2, 2016, via the CMS Surveyor Training Website.</p> <p>CMS will update the ASPEN program (i.e., the information system that tracks surveys) and CMS Fire Safety Forms (2786) prior to the November 1, 2016, survey start date.</p>

**DQA Publications (April, May, June)**

Listed below are DQA publications that have been newly created during the past quarter. DQA publications can be accessed online at <https://www.dhs.wisconsin.gov/publications/index.htm>.

Number	Title	Date
P-00082	Complaints Concerning Health Care or Residential Care in Wisconsin	03/2016
P-01176	Laboratory Certification Requirements for Wisconsin Treatment Courts and Programs	05/2016
P-01277	Supervision of Licensed Practical Nurses in Methadone Treatment Programs	05/2016