

HCBS Final Rule Stakeholder Call

12/16/2020

Noon call (73 participants on the line)

- 1) **Question/Comment:** When we want to initiate the two way communication for the site 1 and 2s that we feel are incorrect do we go in and submit a new photo or can the previous photo be utilized?

KDADS: I believe all two-way communications have been opened for your setting there. Please let us know if not. If your original photos were not enough for that we will likely need some different picture evidence for that. We are going to work with you to get you more information about how to get that information verified.

- 2) **Question/Comments:** We have a few heightened scrutiny that we sent in photos for and we got a response to continue with the remediation. It talks about remediation needing to be done by 7/1- is that the policies or implementation? I am not quite sure what needs to be done by 7/1/2021.

KDADS: That notification is what we are sending to verify that your setting is not heightened scrutiny 1 or 2. The answer is yes, they do require implementation prior to 7/1/2021. For any heightened scrutiny, you will have to have any of the category 1 or 2 would have to be remediated and then the category 3 questions. If those have been remediated, we can then let the team know that those questions have been compliant. You can continue to work on any remediation you have, the focus would be on those heightened scrutiny questions and then you can continue with the others. We will continue with any other remediations you put in beyond that 7/1 date. If it goes beyond that date, we would have to submit it to CMS. We are telling everybody to focus those heightened scrutiny questions and then go on to the rest of them. It would be all of category 3. There should be a legend at the top of the assessment to let you know which questions are category 3 heightened scrutiny. The main thing is that for CMS, you were originally categorized a category 3 heightened scrutiny for isolation so you would need to prove that you are not doing that. If you can remediate that prior to 7/1/2021 it will not be sent off to CMS. If you needed to resubmit pictures and we approved those for category 1 and 2 we would have updated that but now you also have to remediate the category 3 questions.

Adjourn

Evening call (9 participants on the line)

There were no questions or comments for this call.

Adjourn