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Title: Exemptions for Skilled Nursing Facility Admissions

Introduced by: Domenic Federico, MD, for the Kent County Delegation

Original Author: Jayne Courts, MD

Referred to: Reference Committee A

House Action: **APPROVE**

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Whereas, the federal Omnibus Reconciliation Act of 1987 (OBRA) included a mandate for the development of a nursing facility screening process designed to protect patients with mental illness or intellectual disabilities from lack of access to proper mental health care services and from possible inappropriate admission and retention in nursing facilities, and

Whereas, the state of Michigan has enacted this screening process through the Michigan Department of Health and Human Services with the Preadmission Screening/Annual Resident Review (PAS/ARR) forms (referenced as DCH-3877 and DCH-3878 below), and

Whereas, the need for the more in-depth screening form (DCH-3878 or Level II form) is triggered by any diagnosis of mental illness and/or the routine use of an antidepressant and/or antipsychotic medication in the past 14 days with no specification about the type, stability, or severity of the mental illness, and

Whereas, the Level II screening forms are administered through the state mental health authority or its chosen representative(s) with a typical completion time of four to five business days, and

Whereas, the Level II screening form (DCH-3878) only allows exemptions to the more in-depth screen for coma, dementia, or a hospital stay, and

Whereas, coverage under Medicare Part A funding for a skilled nursing facility (SNF) stay has necessitated a three-day hospital stay in the past, often leading to unnecessarily prolonged lengths of stay for acute inpatient hospitalizations with resultant increases in the total cost of care for many patients, and

Whereas, the development of several payment models such as the Bundled Payment Care Improvement Initiative, Medicare Shared Savings Program Accountable Care Organizations, and other Alternative Payment Models under the Medicare Access and CHIP Reauthorization Act of 2015 has led to a potential waiver of the three-day stay to allow more timely transfer of patients requiring SNF services (sub-acute rehabilitation or long-term care) with a possible reduction in the total cost of care for many patients, and

Whereas, the need for the completion of the PAS/ARR forms (DCH-3877/3878) prior to admission to a SNF essentially invalidates the potential for more immediate transfers to SNFs from emergency rooms, physicians' offices, or even other levels of care within the continuum of a nursing facility; therefore be it

RESOLVED: That MSMS work with the Michigan Department of Health and Human Services to improve the Level I (DCH-3877) and Level II (DCH-3878) Preadmission Screening/Annual Resident Review forms to add other exemptions that provide adequate protection for patients with mental

55 illness and intellectual disabilities while limiting the need to complete the more in-depth Level II  
56 screening form unless the screening is reasonably indicated; and be it further

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58           RESOLVED: That MSMS work with the Michigan Department of Health and Human Services to  
59 consider allowing the completion of Level II Preadmission Screening/Annual Resident Review forms  
60 (DCH-3878) within 96 hours of admission to a skilled nursing facility so that the timely transfer of a  
61 patient for skilled nursing and/or rehabilitation services may occur; and be it further

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63           RESOLVED: That the Michigan Delegation to the American Medical Association (AMA) ask our  
64 AMA to work with the US Department of Health and Human Services to update the Omnibus  
65 Reconciliation Act of 1987 to revise the mandate for nursing facility preadmission screening/annual  
66 resident review to provide more consistent enactment among states and to allow more reasonable  
67 and more cost-effective approaches to this mandatory screening process.

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70 WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE