

Notices and Beneficiary Appeal Rights in Skilled Nursing Facilities

Centers for Medicare & Medicaid Services (CMS)

Satellite Broadcast and Webcast

Friday June 19, 2009

1:00-1:45 PM EDT

PLEASE ADJUST TIMES FOR YOUR TIMEZONE

Goal

The goal of today's broadcast is to review the different types of discharge and liability notices that are issued by providers in Skilled Nursing Facilities. This program is a pre-taped presentation that explains under what circumstance providers are obligated to give each type of notice. The program will also explain the expedited review process. Finally, there is a presentation on how surveyors are to complete the review for facility compliance with the notice requirements in both the traditional survey process and the Quality Indicator Survey.

Objectives

After viewing this program, participants will be able to:

- Identify the four types of notices including the denial letter, the SNF Advance Beneficiary Notice, the Revised ABN and the Generic Notice;
- Explain under what circumstance the provider is obligated to give each type of notice;
- Explain the expedited review process, and
- Explain how the notice requirement is surveyed under both the traditional survey process and the Quality Indicator Survey.

Target Audience

Federal and State surveyors, nursing home providers and Medicare beneficiaries.

Moderator:

Jeane Nitsch, JD, MS, MSW, LCSW-C

Health Insurance Specialist

CMS/ Survey & Certification Group/ Division of Nursing Homes

Presenters:

Charlayne D. Van, JD

Health Insurance Specialist

CMS/Center for Drug and Health Plan Choice/Division of Appeals Policy

Janet Miller, MPP

Health Insurance Specialist

CMS/ Medicare Enrollment and Appeals Group/ Division of Appeals Policy

Beverly Cullen, RN

Nurse Consultant

CMS/ Survey & Certification Group/ Division of Nursing Homes

Peggy E. Williams, MS, LSW

Health Insurance Specialist

CMS/ Survey & Certification Group/ Division of Nursing Homes

Registration and Viewing Instructions

Surveyors:

Individual registration is available on the CMS Survey and Certification Training Group website: <http://surveyortraining.cms.hhs.gov/>. If you are a new user to this website, you will need to create a new account. Registration is required to obtain training certificates.

Providers:

To view a live or archived broadcast providers do not need to register, simply click on Satellite Broadcast or Archived Webcast.

Webcast Information

This program will have a live webcast and will be available as an archived webcast following June 19 at <http://surveyortraining.cms.hhs.gov/>. Registration is also required to view the archived satellite broadcast and to obtain training certificates

Satellite Technical Specifications

This broadcast will be available only on CMS's digital network. Specific satellite technical specifications will be available at <http://surveyortraining.cms.hhs.gov> or can be obtained by calling 1-800-401-9387.

Handouts

There are three handouts for this broadcast.

Agenda

Notices and Beneficiary Appeal Rights in Skilled Nursing Facilities Multimedia Satellite Broadcast June 19, 2009

On June 19, 2009, 1:00-1:45 p.m. EDT, the Centers for Medicare & Medicaid Services will broadcast a 45 minute presentation via satellite and Internet. The show includes a discussion concerning several aspects of discharge and liability notices that are issued by providers in Skilled Nursing Facilities. The show focuses on explaining the types of notices, when the notices should be issued and a beneficiary's appeal rights. The show also includes an overview of how surveyors are to complete the review for facility compliance with the notice requirements under both in the traditional survey and in the Quality Indicator Survey. The show should be of particular interest to Federal and State surveyors, nursing home providers and Medicare beneficiaries.

Presenters and Topics

Approximate Time	Topic	Presenter
1:00 - 1:03	Welcome Introduction to Show	Jeane Nitsch- Moderator Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes
1:03 - 1:06	History and Review of 4 Notice Structure	Jeane Nitsch- Moderator Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes Charlayne Van, JD Health Insurance Specialist CMS/Center for Drug and Health Plan Choice/Division of Appeals Policy
1:06 - 1:12	Presentation on Each Type of Notice (Denial Letters and the SNFABN, the Revised ABN, the Notice of Exclusion from Medicare Benefits, and the Generic Notice); Explanation on When Each Notice Should Be Issued; and Updates Regarding the Notices.	Charlayne Van, JD Health Insurance Specialist CMS/Center for Drug and Health Plan Choice/Division of Appeals Policy
1:13 - 1:19	Presentation on the Notice of Medicare Provider Noncoverage (Generic Notice) and the Expedited Review Process	Janet Miller, MPP Health Insurance Specialist CMS/ Medicare Enrollment and Appeals Group/ Division of Appeals Policy

1:19 – 1:24	Review of Information and Qs & As	<p>Jeane Nitsch- Moderator Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes</p> <p>Charlayne Van, JD Health Insurance Specialist CMS/Center for Drug and Health Plan Choice/Division of Appeals Policy</p> <p>Janet Miller, MPP Health Insurance Specialist CMS/ Medicare Enrollment and Appeals Group/ Division of Appeals Policy</p>
1:24 – 1:29	Reviewing for Compliance under the Traditional Survey Process	<p>Beverly Cullen, RN Nurse Consultant CMS/ Survey & Certification Group/ Division of Nursing Homes</p>
1:29 – 1:38	Reviewing for Compliance under the Quality Indicator Survey	<p>Peggy E. Williams, MS, LSW Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes</p>
1: 38 – 1:43	Review of Information and Qs & As	<p>Jeane Nitsch- Moderator Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes</p> <p>Beverly Cullen, RN Nurse Consultant CMS/ Survey & Certification Group/ Division of Nursing Homes</p> <p>Peggy E. Williams, MS, LSW Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes</p>
1:43 – 1:45	Wrap-up	<p>Jeane Nitsch- Moderator Health Insurance Specialist CMS/ Survey & Certification Group/ Division of Nursing Homes</p>

Bios

Jeane Nitsch, JD, MS, MSW, LCSW-C

Jeane Nitsch works in the Division of Nursing Homes at the Centers for Medicare & Medicaid Services. Her primary role includes regulatory interpretation and the development and implementation of national policies related to the survey and certification of nursing homes. Prior to joining CMS in 1998, she worked as the Director of Admissions and Social Work in a hospital-based Sub-acute unit. Her experience has primarily been in nursing homes, as well as continuing care retirement communities and assisted living facilities. Ms. Nitsch earned a Master of Social Work degree specializing in Aging from the University of Maryland School of Social Work and she holds a Master of Science degree in Health Care Management from the University of Maryland University College. She recently completed her Juris Doctor at the University of Maryland School of Law with a Certificate in Health Law.

Charlayne D. Van, JD

Charlayne Van works in the Division of Appeals Policy. Her primary role includes serving as the senior policy analyst and national subject matter expert on Advance Beneficiary Notice (ABN) policy. Charlayne is also responsible for the development, analysis, and implementation of policies related to consumer rights and protections across provider settings under the Medicare fee-for-service and managed care programs. Prior to joining CMS in 2005, Charlayne worked as a human resources consultant for the Departments of Homeland Security and Health & Human Services. She earned a Bachelor of Arts degree in Political Science from Howard University. She completed her Juris Doctor at the University of Baltimore School of Law.

Janet Miller, MPP

Janet Miller works in the Division of Appeals Policy at the Centers for Medicare & Medicaid Services. Her primary area of expertise is the fee-for-service expedited review process for service terminations. Prior to joining CMS in 2002, she worked as a Program Analyst for the Office of the Inspector General of the Department of Health and Human Services conducting national program evaluations of the Medicare claims appeal process. Ms. Miller holds a bachelor's degree in political science and economics from the University of Minnesota and a master of public policy degree from the University of Minnesota's Humphrey Institute of Public Affairs.

Beverly Cullen, RN

Beverly is a registered nurse who has been employed as a nurse consultant with CMS for over 10 years. Prior to coming to CMS, Beverly worked for over 17 years as a surveyor and supervisor with the Minnesota Department of Health.

At CMS, Beverly works in the Division of Nursing Homes in the Survey and Certification Group. She works on the long term care survey process and specializes in quality of care. She was the co-project officer for a contract to update interpretive guidance for surveyors and develop severity guidance for several key regulatory tags from 2000 through September 2006. In 2005, Beverly received the Thomas Stewart Founders Award presented by the National Pressure Ulcer Advisory Panel for her work in the development of the F314 pressure ulcer guidance, which was released in November, 2004. She has been actively involved in the development and implementation of the new Quality Indicator Survey.

Peggy E. Williams, MS, LSW

Peggy E Williams works in the Division of Nursing Homes at the Centers for Medicare and Medicaid Services. She is a Master QIS Trainer and key member of the CMS QIS team, helping in the further development and refinement of the QIS. Peggy is also a member of the CMS Culture Change team, which is planning the 2010 National Symposium on the nursing home dining requirements in collaboration with the Pioneer Network. Prior to joining CMS, Peggy worked as a Master QIS Trainer for the University of Colorado and CIBER, Inc, and with Nursing Home Quality and the state survey agencies implementing the QIS. Her career in long-term care started as a social worker in South Dakota nursing homes and continued with the South Dakota Department of Health as a nursing home surveyor and state training coordinator in which she provided ongoing training for surveyors and facility staff on state and federal regulations and the RAI/MDS. She was also a founding member of the South Dakota Culture Change Coalition. Peggy earned a Master of Science in Health Care Administration from the University of South Dakota and a Bachelor of Arts in Social Work from Augustana College in Sioux Falls, SD.

TECHNICAL FACT SHEET

DATE: June 19, 2009

TEST TIME: 12:30 – 1:00 p.m. EDT
11:30 – 12:00 p.m. CDT
10:30 – 11:00 a.m. MDT
9:30 – 10:00 a.m. PDT

PROGRAM TIME: 1:00 – 1:45 p.m. EDT
12:00 – 12:45 p.m. CDT
11:00 – 11:45 p.m. MDT
10:00 - 10:45 p.m. PDT

**SATELLITE TROUBLE
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