Welcome to Community Based Care News Hour
September 24th, 2020

Please remember to put your phone on mute
*6 to mute phone
Agenda

- Compliance Tips:
- Compliance Trend Report

- Hot Topics:
  Rule advisory committees
  Involuntary Move out rules
Covid Updates

- Executive Orders
  Initiate testing within 72 hours

- Masks/Face shields
  Required for all staff

- Please work with Local Health Department

- Indoor visits
Involuntary Move out rules

- Lynn Beaton
- Jan Karlen
Temporary Move-Out Rules

Changes to OAR 411-054-0080
Move-Out Rules
Current Rule

• Went into effect on August 14, 2020
• Temporary, in place for 6 months
• Rule Advisory Committee (RAC) has been formed
• **Completing Move-Out Notices** - Instructions
Disclosure Information

• OAR 411-054-0080 (1) references disclosure information which includes
  – Uniform Disclosure Statement
  – Residency Agreement
  – Consumer Summary Statement

• These documents need to clearly state what types of health, nursing, behavior and care services the facility is unable to provide.

• Ensure consistency
Documentation

• Ensure that resident evaluations, service plans and other documentation is up to date and accurately reflect the need for a different level of care or why the resident is being asked to move.
30 Day Move-Out

• Criteria has not changed
  o The resident’s needs exceed the ADLs the facility can provide
  o Behavior that substantially interferes with the rights or health or safety of the resident or others
  o Complex or unstable medical or nursing condition
  o Unable to accomplish fire evacuation
30 Day Move-Out Cont.

- Criteria has not changed cont.
  - Behavior that poses a danger to self or others
  - Illegal drug use or criminal acts that poses a danger to self or others
  - Non-payment
30 Day Move-Out – What Has Changed

• Must now consult with ODHS (SOQ)
  o Facility sends move-out notice (0567) to ODHS via SOQ.Transfers@dhsoha.state.or.us or fax at 503-378-8966
  o ODHS has two (2) business days to review the information.
  o If ODHS believes the criteria has not been met, the facility cannot issue the notice.
30 Day Move-Out

• If Criteria has been met:
  – Move-Out Notice given to resident, their legal representative
  – Must email or fax move-out to ODHS
  – If resident lacks capacity, and no legal representative, copy of the Notice must be sent to the Long-Term Care Ombudsman’s Office (LTCO)
Less Than 30 – Day Notice
OAR 411-054-0080 (10) (a)

- Resident leaves facility for significant medical or psychiatric event, at time resident is ready to return,
  - Facility staff re-evaluate and determine the facility cannot meet the resident’s needs based on
    - Disclosure information (OAR 411-054-0026)
    - Evaluation showing the significant and ongoing change of condition is related to the medical or psychiatric event.
Less Than 30 Day Move-Out Notice cont.

• Notice must include specific reasons why the facility cannot meet the resident’s needs based on the evaluation.

• If an administrative hearing is requested, facility must hold the resident’s room or unit and may charge room and board pending resolution of the hearing.
Less than 30 Day Move-Out

• If health and safety of the resident or others is in jeopardy – undue delay increases harm
  – Resident has right to request a hearing.
  – If resident has moved out of facility and request a hearing, cannot be charged room and board pending outcome of hearing.
Issuing Less Than 30 Move-Out

- Facility sends move-out notice (0568) to ODHS via SOQ.Transfers@dhssoha.state.or.us or fax at 503-378-8966
- ODHS has two (2) business days to review the information.
- If ODHS determines the Move-Out Notice does not meet criteria, it cannot be issued.
Less than 30 Day Move-Out – OAR 411-054-0080 (10) ODHS Review

• Did the facility take into account:
  – OAR 411-054-0070 (1) – Staffing
  – OAR 411-054-0030 (2) (b) – Ancillary Services
  – OAR 411-054-0045 (1) & (2) – Health Services

• ODHS may contact individuals for additional information
Less than 30 Day Move-Out
OAR 411-054-0080 (10) ODHS Review

• If it does not meet the criteria, facility cannot issue the Notice.
• If the criteria has been met, facility can issue the notice to resident and/or legal representative.
• On the same day - email or fax notice to ODHS and LTCO.
• Resident can request an Administrative Review from the Administrator of Safety, Oversight & Quality
Summary

• Review by ODHS/SOQ is required – up to 2 business days to respond
• Ensure disclosure information is consistent
• Ensure documentation on residents accurately reflect their service needs
• Review policies and procedures on move-out to ensure they are consistent with rule
• Questions – contact your OPA
Quality Measurement Program

• The Quality Measurement Program is still active.
• Change in format to “Yes” or “No” answers
• Still must report by January 31, 2021 by 11:59 pm
Quality Measurement Program

• Register for Quality Metrics Application at https://ltcfacilityportal.oregon.gov/

• Upcoming webinars
  – October 15, 2020
  – November 17, 2020

• Questions - QualityMetrics.Acuity@dhsoha.state.or.us
QMC & LiveWell

• Help for tracking quality improvement tools to track these measures and others
• Free to all Oregon RCFs & ALFs – through ODHS Quality Care Fund
• Website – [www.livewell-Oregon.com](http://www.livewell-Oregon.com)
THANK YOU
Thanks so much!

Next News hour:
October 22nd 2020
9:00 am
Questions????

CBCTeam@state.or.us

CBC web site Address::