Minutes for the February 24, 2017 Meeting of the MSSNY-HCA Task Force

Attendees
Evelyn Dooley-Seidman, MD
Ruth Kleinman, MD
Jay Slotkin, MD
Anne Calvo
Marianne Grady
Sandy Merlino
Elizabeth Zicari
Al Cardillo, HCA Staff
Pat Canole, HCA Staff
Moe Auster, MSSNY staff

The minutes of the January 13, 2017 meeting were approved.

FOLLOW UP ON PREVIOUS AGENDA ITEMS
Moe noted that he had written an article for the January 27, 2017 MSSNY E-news regarding CMS’ most recent probe and educate activity, with information provided by HCA staff. He also noted that he had reached out to the AMA and, at the suggestion of Dr. Slotkin, had reached out to the American Academy of Home Care Medicine (AAHCM), to query and urge that relief of the F2F requirement be part of federal regulatory relief efforts. AAHCM representatives indicated that Medicare F2F relief was going to be one of its key agenda items it would raise to an AMA regulatory relief workgroup.

Al noted that he had developed a rough draft document to be forwarded to Task Force members that would request to DOH that care provided under an expanded definition of managed care (such as part of an ACO or PPS) be exempted from F2F requirements that are scheduled to go into effect this year. However, Al also noted that the recent announcement by the Trump Administration of a freeze on new regulations could delay the implementation of the Medicaid F2F requirements, which might obviate the need to create this document.

FEDERAL UPDATE
Dr. Dooley noted that, since the Medicaid F2F implementation could be delayed, the Task Force could work on a long-term and short-term goal. Al noted that he tried to have the document to send to DOH be written in plain language.

Dr. Slotkin asked again about the probe and Educate initiative. He noted that the burden is not so much on physicians as much as home care agencies, which bear huge financial risk if the document is not completed. Sandy Merlino noted that her agencies have $2.3 million in outstanding claims due to inadequately completed F2F forms. Anne Calvo noted that some agencies will not accept some referrals because they have been burned too many times by failure of physicians to complete the form. Dr. Dooley noted that these circumstances highlight again why the F2F requirement needed to be eliminated. Dr. Slotkin noted that this burdensome requirement is creating an access to care problem. Both re-iterated the need for MSSNY to place great emphasis on efforts to repeal this requirement.

Dr. Kleinman discussed her experiences with ordering home care services for patients covered through the VA system. Al noted that the benefit structure is much different for the VA than through Medicare and Medicaid. Sandy Merlino noted that the VA covers telehealth for home care, and Medicare does not.

There was an extensive discussion about the financial implication of F2F. Al noted a recent Office of Inspector General (OIG) report that identified $2 billion in claims due to failure to complete F2F forms. Dr. Dooley
queried whether there was any documentation of the additional hospitalization costs due to patients not receiving needed home care services. She also queried about any legal challenges that could be made that F2F was in reality an unfair impediment to seniors trying to access their Medicare benefit.

**Follow Up:** It was suggested that a resolution be submitted to the MSSNY House of Delegates urging MSSNY to request the AMA to prioritize F2F repeal or modification.

**Follow Up:** was also suggested that MSSNY reach out to AAHCM to invite a representative to speak at a future meeting, and provide additional quantification of the financial impact of Medicare F2F requirements.

**STATE ACTIVITIES**

Al noted the provision in the Governor’s Budget that would create a Regulatory Modernization Team, which could hold the possibility of providing more flexibility for physicians to refer patients for home care services. MSSNY is concerned because one of the items of consideration for the workgroup is changes to scopes of practice. Al also noted that this proposal will be a major subject of negotiations between the Assembly, Senate and Governor in Budget talks, and that the Legislature is concerned with ceding additional power to the Executive.

Al also discussed his conversation with HANYS representatives to facilitate hospital electronic medical record systems standardizing F2F documentation. He mentioned that there are discussions to include funding for this initiative in the State Budget. Sandy Merlino noted that home care agencies worked with some hospitals to include this documentation in discharge reports. Al noted that Bassett hospital had worked on similar forms. Elizabeth Zicari noted one EHR vendor that had automated the fields to facilitate completion of referral forms, and questioned why it could not be extended to include F2F forms. Many expressed the importance of working to assure that all hospitals had similar EHR systems to facilitate completion of this form.

**Follow Up:** It was agreed that Moe would work with Al to work with HANYS to facilitate follow up discussions towards such standardization.

Dr. Dooley asked about the status of the HCA HIT Committee. Al noted that it was supposed to begin to meet this month, but had to be delayed to next month because of scheduling conflicts.

**HOME HEALTH REFUSALS**

Al noted a recent United Hospital Fund study that discussed the financial implications of certain patients refusing home health care services, and noted the importance of physicians convincing patients that such care was necessary. The study that refusers had refusers had higher 30-day and 60-day readmission rates. The study synopsis will be forwarded to the Task Force members.

**SEPSIS SCREENING**

Al noted that HCA was about to launch a screening tool to assess patients for early signs or risk of sepsis. He wanted to coordinate with MSSNY to host a webinar for physicians to be better able to assess patients for risk of sepsis. Moe noted he shared with Pat Clancy, MSSNY’s VP for Public Health and Education, to determination whether it was a program for which MSSNY should partner.

**NEXT MEETING**

The group agreed that the Task Force members would meet again the week of March 20-24 at a date/time to be determined.

The meeting ended at 1:30 PM