

Eli's Hospice Insider

Emergency Preparedness: Hurricanes Underscore Importance Of Emergency Preparedness Compliance

Know which waivers apply to you.

Home care and hospice providers work on their emergency preparedness plans in the hopes that they'll never need them. But Gulf Coast hospices from Florida to Louisiana in the path of Hurricanes Harvey and Irma have had those hopes dashed.

The **Department of Health & Human Services** declared Public Health Emergencies for affected Texas areas on Aug. 26, Louisiana on Aug. 28, U.S. Virgin Islands and Puerto Rico on Sept. 6, Florida on Sept. 7, and Georgia and South Carolina on Sept. 8. "As Louisiana and Texas contend with the historic flooding caused by Hurricane Harvey, HHS is committed to doing all that we can to ensure that those affected by this storm receive the vital assistance and support they need," HHS Secretary **Tom Price** said in release. "The people of Louisiana who rely on Medicare, Medicaid, and CHIP for their healthcare needs can be confident that this declaration will allow their care to continue despite the toll this disaster has taken in their communities." HHS issued similar statements regarding Irma.

Due to the emergency declarations and other actions taken by HHS, the **Centers for Medicare & Medicaid Services** is able to waive certain documentation requirements to help ensure healthcare providers can deliver care to patients who have no health records, or even no proof of their Medicare status, the HHS release noted. HHS also deployed hundreds of employees to help. CMS issued the 1135 waiver in conjunction with HHS's Public Health Emergency declaration, CMS notes on its emergency webpage.

Providers must apply for a waiver from CMS for certain documentation requirements. But CMS has approved a "blanket waiver" for this requirement for all HHAs in the affected areas, it notes on its hurricane webpage: "484.20(c)(1): This waiver provides relief to Home Health Agencies on the timeframes related to OASIS Transmission. (Blanket waiver for all impacted agencies)."

Emergency Preparedness Rule Hits In November

The affected agencies' abilities to respond quickly to the hurricane and its aftermath may have been aided by the providers' preparations for Medicare's new Emergency Preparedness rule.

Reminder: The **Centers for Medicare & Medicaid Services** published an EP final rule in September 2016. It had an effective date of Nov. 16, 2016 and a compliance date of Nov. 16, 2017. Then CMS published the interpretive guidelines for the rule in June.

Among other requirements, the rule mandates that providers complete a training and testing program, including testing "exercises," by the November 2017 deadline.

"Most providers have been busy upgrading their emergency preparedness plans due to the new regulations going into effect in November," says consultant **Pam Warmack** with **Clinic Connections** in Ruston, Louisiana. "So at least everyone has had EP on their mind."

Perspective: Consultant **Katie Wehri** with **Healthcare Provider Solutions** in Nashville believes "that agencies that were preparing for the new EP rule were much more prepared and had better results," Wehri tells **Eli**. "Any agency in the area of impact by Hurricane Harvey that was not working on the rules going into effect in November likely had a wake-up call to ensure plans are in place □ not just for the sake of meeting the deadline, but for the sake of the best outcome under an emergency situation."

Home Care Gives Back

Providers in the hurricane's path aren't the only ones who have stepped up in the storm. Agencies across the nation have taken action.

For example: Kindred Healthcare joined the long list of companies that donated cash to Harvey relief efforts. Kindred donated \$50,000 to the **American Red Cross** for Harvey recovery, it notes in a release.

Kindred "is also supporting its employees through its HOPE Fund, a tax-exempt charitable organization that was established to provide monetary assistance to Kindred employees experiencing financial hardship due to a catastrophic life event," the Louisville, Kentucky-based chain says. "Many of our employees are not only stepping up to take care of our patients under very trying circumstances, but they also face their own personal and financial challenges in the wake of this devastating storm. We are committed to supporting them in the aftermath of this tragedy."