

MDS Alert

Industry News to Use: Keep Up the Good Work in Reducing Antipsychotic Use

Plus: Your resident's same-sex spouse can now get coverage at your facility.

Your data on Nursing Home Compare is showing a big reduction in antipsychotic drug use among nursing home residents. And the **Centers for Medicare & Medicaid Services** (CMS) couldn't be happier.

Good news: Nursing Home Compare data shows a 9.1-percent decrease in the national prevalence of antipsychotic use in long-stay nursing home residents, from the first quarter of 2013 compared with the last quarter of 2011. CMS began isolating and tracking antipsychotic data points in earnest when it launched the National Partnership to Improve Dementia Care last year.

This 9.1-percent reduction is great progress toward the Partnership's goal of a 15-percent reduction in antipsychotic drug usage by the end of 2013. As of the first quarter of 2013, there are approximately 30,000 fewer nursing home residents taking antipsychotics than before the Partnership launched.

On a state-by-state basis, 11 states have met or exceeded the 15-percent target, CMS reports. These states include Alabama, Delaware, Georgia, Kentucky, Maine, North Carolina, Oklahoma, Rhode Island, South Carolina, Tennessee, and Vermont.

"This important partnership to improve dementia care in nursing homes is yielding results," CMS chief medical officer and director of the Center for Clinical Standards and Quality **Dr. Patrick Conway** said in the Aug. 27 announcement. "We will continue to work with clinicians, caregivers, and communities to improve care and eliminate harm for people living with dementia."

In other news ...

How DOMA Ruling Affects Nursing Home Coverage

All private Medicare plan beneficiaries have equal coverage for care in a nursing home where their spouse lives, thanks to the recent **U.S. Supreme Court's** ruling that the Defense of Marriage Act (DOMA) is unconstitutional.

On Aug. 29, the **U.S. Department of Health and Human Services** (HHS) issued a memo that represented its first official guidance in implementing the DOMA ruling under HHS programs, with additional guidance to come. But first, HHS tackled beneficiaries' rights in light of DOMA regarding skilled nursing facility (SNF) services and nursing home stays.

Medicare Advantage beneficiaries are entitled to care in the SNF where their spouse resides, assuming that they have met the conditions for SNF coverage and the SNF has agreed to the payment amounts and other terms that apply to a plan network SNF, HHS announced. "Seniors with Medicare Advantage previously may have faced the choice of receiving coverage in a nursing home away from their same-sex spouse, or dis-enrolling from the Medicare Advantage plan which would have meant paying more out-of-pocket for care in the same nursing home as their same-sex spouse."

Bottom line: But now HHS clarifies that "this guarantee of coverage applies equally to all married couples." And further, the guidance specifically clarifies that this coverage guarantee "applies equally to couples who are in a legally recognized same-sex marriage, regardless of where they live," HHS stated.