

MDS Alert

MDS & Billing News To Use

A CMS letter to survey agencies gives the green light for facilities to use electronic signatures on the MDS, if state and local laws and regs allow. The long-term care facility's own policy must also authorize the use of electronic signatures for its clinical record documentation, including the MDS, according to **Thomas Hamilton**, director of the **Centers for Medicare & Medicaid Services'** Survey and Certification Group, in correspondence to state survey agencies. Facilities must have written policies spelling out security measures to prevent someone from forging another person's electronic signature.

In the future, CMS may require facilities to conform to a CMS electronic signature standard, "if CMS should adopt one," the letter states.

As a first step toward signing the MDS electronically, facilities should call their RAI coordinators for guidance on specific regulations that may impact the use of electronic signature in their state, suggests **Diane Brown**, CEO, **Brown LTC Consultants** in Newton, MA. "Next, they need to contact their software vendor to ask about the ability to use an electronic signature," Brown adds.

Look for interim version(s) or updates to the MDS 2.0 before CMS releases the MDS 3.0. That was the inside scoop from **Lisa Hines, MS, BSN, RN**, speaking on behalf of CMS at the September 2004 **National Association of Subacute and Post Acute Care** conference in Washington.

CMS has nursing professionals helping to develop the MDS 3.0. These nurses bring a "practical, real world sense" to the instrument and how it will affect patient care, Hines told NASPAC participants.

"CMS wants the MDS to be usable and simple to allow facilities to keep data to manipulate and track," Hines explained. "That way, a facility that wanted to add items, such as diabetes care, as an example, could input that into the system in order to do internal quality monitoring."

All bets are on in predicting when the finalized MDS 3.0 will finally debut. NASPAC presenter **Courtney Lyder, ND**, pegged 2006 as the earliest possible date for the MDS 3.0 to come out. Long-term care consultant and NASPAC board member **Diane Brown** predicts the MDS 3.0 may not go into effect until 2008 or even 2009, given that CMS has said the RUGs refinements have to be in place first.

"Once the new payment system goes into effect, Section I (diagnoses) will be critical," Brown adds.

CMS has announced that the case-mix system refinements won't occur in time to affect 2005 Medicare PPS rates, which increased by 2.8 percent for FY 2005, starting Oct. 1.

In other news, look for the new publicly reported quality measure on weight loss this fall, Hines said, although CMS has delayed the staffing QM until spring.