



# UPDATE

A publication of the Arizona Health Care Association

AHCA UPDATE | January 19, 2021

## Welcome to the newest AHCA Members!



### Tempe Post Acute

6100 S Rural Road  
Tempe, AZ 85283  
Amador Ortega, Jr.  
(480) 831-8660  
Skilled Nursing Facility



### Desert Marigold Senior Living

6150 S Rural Road  
Tempe, AZ 85283  
Amador Ortega, Jr.  
(480) 848-9162  
Assisted Living Center

## NATIONAL NEWS

### Presidential Inauguration

Tomorrow, January 20, is inauguration day in our nation's capital. Joe Biden will be sworn in as our 47th President, while Kamala Harris will be sworn in as Vice President. Let's hope that the incredibly dark day for American politics that played out two weeks ago won't be reenacted. That day culminated in a second impeachment for Donald Trump, which is unprecedented. In response to those events House Democrats hurried to push forward an impeachment of President Trump. Though the Democrats lost a sizable number of members in the 2020 elections, they were still able to reach the numbers needed to pass the articles of impeachment with 10 Republicans voting in favor of impeachment. While the House will present the articles of impeachment to the Senate, Republican Leader Mitch McConnell has indicated he will not have a vote on impeachment before the inauguration.

Once the U.S. Senate turns over to the slim majority of Democrats, cabinet appointments such as HHS should go



### HHS Delays PRF Reporting Deadlines

HHS last Friday (1-15-21) issued a formal delay of its reporting requirements for health care providers that received COVID-19 financial relief from the Provider Relief Fund (PRF). There is not yet a deadline for providers to establish a reporting account in the newly enabled Reporting Portal, however all providers will be required to complete this first step in order to advance and

through a little smoother. In addition, this will obviously make it far easier for Biden to take action on the various policies he wants to enact.

The first 100 days of the president's term is usually used as a litmus test of sorts on how things will work in D.C. It is designed to show new energy and a new sense of direction for the new leader. These first days of the Biden administration may do just that. Joe Biden is planning to sign dozens of executive orders in his first days in office, as he aims to roll back some of President Donald Trump's signature policies on immigration and climate change while taking early action to address the coronavirus crisis.

After being sworn in on Wednesday, Biden will rejoin the Paris climate accords, extend limits on student loan payments and evictions instituted during the pandemic and issue a mask mandate on federal properties and for interstate travel. Incoming White House Chief of Staff Ron Klain outlined the flurry of activity for Biden's first 10 days in office in a memo to senior staff on Saturday. On Biden's second day in office, he will sign executive actions focused on addressing the Covid-19 pandemic, including ways to help schools and businesses reopen safely, expand testing, protect workers and establish clearer public health standards. The next day, Biden will direct his Cabinet to work on delivering economic relief to families most affected by the crisis.

In subsequent days, Biden will expand "Buy America provisions," take action to advance "equity and support communities of color," begin to reform the criminal justice, expand access to healthcare and work toward reuniting families separated at the border. Klain did not specify what these actions would entail, but the memo follows Biden's introduction this week of his legislative agenda, which includes a \$1.9 trillion relief bill. So you can see they plan to hit the ground running. Of course, time will tell.

fulfill their reporting requirements once HHS announces the new deadline to do so. The original deadline was set for February 15.

HHS still opened its online reporting portal for providers, with officials encouraging providers to establish accounts and begin the reporting process. Any health care provider that received more than \$10,000 in total PRF payments must eventually comply with the reporting rules, though the Friday revision does not apply to the tranche of funding dedicated to nursing home infection control.

More information about the new reporting requirements and portal registration can be found [here](#).

A listing of health care entities that have agreed to the Terms and Conditions and received claims reimbursement can be found [here](#).

## TOP NEWS

### COVID-19 Vaccine Update

In HHS news, they announced they have extended the [public health emergency](#) (PHE) due to COVID-19 effective January 21. The PHE is issued in 90-day increments and is slated to expire in April 2021. The PHE extension means:

- [Section 1135 National, Blanket Waiver](#) remains in place. This waiver includes the telehealth and staffing waivers.
- [Section 1812\(f\) Waiver](#) also remains in place. This covers the waiver of the 3-Day Stay requirement and the waiver of the Spell of Illness.

Because of the CARES Act statutory link to the PHE, the Medicaid increased FMAP continues until the end of the quarter in which the PHE ends. Therefore, the increased FMAP will flow to the states until June 2021.

### Assisted Living in Pharmacy Partnership Activated for Vaccine Clinics

ADHS has activated group 1A in the Pharmacy Partnership to allow for Assisted Living communities to get scheduled for CVS or WAG vaccine clinics. This began yesterday, January 18, 2021. Similar to the SNF group that is finishing up with first shots, Moderna vaccine will be the one used. Education is of key importance for both residents and staff and your help is needed in making sure everyone has the facts. Here are some excellent videos produced by both



NAHCA and AHCA/NCAL on the issue. Please share these videos and have conversations with staff before your first vaccine clinic so we can increase the numbers of those receiving the vaccine. Questions include:

- [Why Should I Get the COVID-19 Vaccine?](#)
- [Does the COVID-19 Vaccine Cause Allergic Reactions?](#)
- [What are the Side Effects of the COVID-19 Vaccine?](#)
- [How Was the COVID-19 Vaccine Developed So Quickly?](#)
- [Will the COVID-19 Vaccine Cause Infertility?](#)
- [Why Should I Get the COVID-19 Vaccine Now When I Can Wait to See What Happens?](#)
- NAHCA joined forces with AMDA to develop a one-hour [educational webinar](#) on the COVID-19 vaccine specifically geared toward CNAs. The webinar is designed to promote vaccination among frontline caregivers and includes an interactive Q&A with attendees.

Please continue to check the AHCA/NCAL [#GetVaccinated](#) page for additional resources and updates.

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## CMS Releases Final MA Rule

Last Friday (1-15-21) CMS released the [Contract Year 2022 Medicare Advantage and Part D Final Rule \(CMS-4190-F2\)](#). The rule codifies a number of long standing program changes introduced through previous Call Letters, memos and other communications. It also introduces several new requirements. Both types of revisions are summarized below.



### New provisions include:

1. **Beneficiary Real Time Benefit Tool (RTBT):** Part D plans will be required to offer an online tool that will provide beneficiaries with real time access to prescription drug costs and would provide the ability to compare cost sharing between similar types of drugs.
2. **New “Preferred” Specialty Tier in Part D:** Plans will be allowed to have a second Preferred specialty tier with lower cost sharing.
3. **Pharmacy Performance Measures Reporting Requirements:** Due to pharmacy concerns that Part D plan performance measures are unattainable and impact pharmacy reimbursement Part D plans will now need to disclose their pharmacy performance measures to CMS.
4. **Implementation of Opioid Provisions:** Provisions outlined in the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act. These provisions impact Part D plans primarily but includes requirements for MAPD plans related to reporting of inappropriate prescribing of opioids.

### Codification of Existing Provisions:

1. **Supplemental Benefit Requirements:** Codifies recent changes and flexibilities around supplemental benefit requirements outlined in Chapter 4 of the Medicare Managed Care Manual.
2. **MA and Part D Program Quality Rating System :** Codifies routine updates such as measures updates and technical clarifications.



## 2021 Legislative Outlook

The legislature’s 2021 session will be shaped by the events of 2020 including the COVID-19 pandemic and election-related issues.

Republicans continue hold majorities

## STATE / PUBLIC POLICY

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### Arizona Legislature Now in Session

Arizona lawmakers met on January 11, 2021 to convene the 1st regular session of the 55th legislature. Governor Doug Ducey gave his annual State of the State speech, albeit virtually, later the same day. In the 22-minute speech, Governor Ducey acknowledged the significant impact of COVID-19 on the state and its economy. He defended the state government’s pandemic response and highlighted expanded vaccination efforts. He also took aim at municipal leaders who have imposed curfews and lockdowns.

Ducey mentioned several policy priorities critical to healthcare providers including COVID-19 civil liability protection, enhancing current telemedicine laws and

in both the state House and Senate, though with razor-thin margins. While the Senate has 16 Republicans and 14 Democrats and the House has 31 Republicans and 29 Democrats, both the Senate President and House Speaker have demonstrated an ability to successfully pass legislation without Democratic support. This will be aided by the increasingly homogeneous composition of both majorities.

It is highly likely the primary COVID-19 related issue this session will be a push to terminate the Public Health Emergency declared by Governor Ducey in March 2020. Senator Michelle Ugenti-Rita has already introduced SB1084 STATE OF EMERGENCY; AUTOMATIC TERMINATION which would end declared state emergencies after 21 days, unless extended by a vote of the legislature. Additionally, the bill would prohibit a new state of emergency being declared for a substantially similar circumstance.

Governor Ducey released his budget outline on Friday (1-15-21). [Click here](#) to view it. AHCCCS is outlined starting on page 25. Page 170 has a request for 32 new surveyors for ADHS. Most importantly there were no slated increases for long term care. AHCA sees funding as a major priority especially given the issues on staffing, PPE and low census brought on by this pandemic. The provider assessment may be worked into the mix as it is due for renewal no later than the next legislative session in '22. Either way, we'll work through these issues and keep you abreast of them as we go.

expanding broadband infrastructure essential to telemedicine. He also outlined his top policy priorities for the coming year, including education funding and tax reform.

During his six years in office, Ducey has made it a personal mission to cut taxes. This year is no different. He called upon lawmakers to "work together to reform and lower taxes and preserve Arizona's good name as a responsible, competitive state." The proposal drew praise from Republican legislators and business advocacy groups; however, it was roundly rejected by Democratic legislators. Some believe the proposed tax cuts are intended to undermine Proposition 208 which increased taxes for high-income earners with the additional revenue going to fund K-12.

## SNF Provider Assessment Due January 20, 2021

As you know, without the SNF provider assessment in Arizona, SNFs would be greatly underfunded and lose out on over \$100 million per year. So, it is extremely important for you to pay your provider assessment on time. We know this is very difficult during this time of COVID, but it's the only way to gain federal reimbursement. **The next assessment is due TOMORROW, January 20, 2021.** If you did not receive a bill from the AZ Department of Revenue, please let me know directly. Remember that you are legally bound to pay this tax bill in full... it's baked into the statute that the AHCCCS Director can tell ADHS to suspend or revoke your license pursuant to Section 36-427.

AZ Provider Assessment				
2020-2021				
Period	Due Date	Funds to AHCCCS	Payments to MCO	Payments to SNF
10/1/2020 - 12/31/2020	1/20/2021	2/20/2021	2/28/2021	3/20/2021
1/1/2021 - 3/31/2021	4/20/2021	5/15/2021	5/28/2021	6/17/2021
4/1/2021 - 6/30/2021	7/20/2021	8/15/2021	8/28/2021	9/17/2021
7/1/2021 - 9/30/2021	10/20/2021	11/15/2021	11/28/2021	12/18/2021



*If you have any questions about infection control you can email the DR EPIC Online Helpline at [EPIC@azhca.org](mailto:EPIC@azhca.org).*

*You can also call the DR EPIC phone Helpline at (602) 241-4644 and*

## Cyber Security Tabletop Exercise

In Arizona, loss of communication and information technology capabilities are among the top five hazard vulnerabilities in the healthcare community. Cyber security should be in your facilities HVA plan, especially as it relates to what would happen if a local, regional, statewide or a nationwide hacking incident occurred within the healthcare system.

Here are a few questions to ask:

- Does your facility have a cybersecurity plan?
- Are you aware of today's most pressing cyber threats?
- How would your organization manage the loss of these vital capabilities?

Two free virtual tabletop exercises presented by AzCHER in conjunction with the Cybersecurity and Infrastructure Security Agency (CISA) and Federal Bureau of Investigation (FBI) will be held on February 10th and 11th from



we will assist you.

8:30 -12:30. The same information will be presented during both sessions, so participants only need to attend one session. This is a great opportunity for collaboration with outside entities in compliance with E-TAG 0009, Process for EP Collaboration. If you have further questions, please contact your regional AzCHER Manager or Disaster Ready Consultant, Gil Damiani at [Gild@azhca.org](mailto:Gild@azhca.org) or by phone at 480-682-7760.

To register for this tabletop exercise, please click here.

## Arizona Health Care Foundation Fundraising Opportunities

There are different ways members can help raise money for the Arizona Health Care Foundation. AHCF is a charitable organization on eBay. This means that when selling items on eBay, there is an option to donate a portion or all funds to the foundation.

The second option is through Facebook. The foundation is also now a charitable organization on Facebook which means you can start a fundraising campaign and share with all your friends on Facebook.

Donations can also be made from the AHCA website here. All the money raised helps to keep the foundation programs, *Live-A-Dream* award, scholarships, and the holiday program thriving.



For more information please contact Krysten Dobson at [kdobson@azhca.org](mailto:kdobson@azhca.org) or 602-265-5331



## AHCA/NCAL National Quality Award Application Deadline is January 28, 2021

The deadline to submit an AHCA/NCAL National Quality Award application is quickly approaching. All [applications and payments](#) must be received by

8:00 p.m. EST on January 28, 2021. Applying for a National Quality Award is about more than just the award. The process of applying provides a framework that can be used to make important improvements in a facility and can serve as a much-needed team building activity to engage staff across all levels.

Each award level has an associated [Criteria Series](#), which is a free resource to applicants. These videos cover application categories and technical writing at each award level. Bronze, Silver, and Gold applicants are strongly encouraged to view these resources.

**AHCA/NCAL Infection Control Certificate Program** is designed for skilled nursing and assisted living staff and features two main areas. Five eLearning modules that provide basic knowledge in the following:

1. Infection Prevention and Control for All Staff
2. Coronavirus Disease (COVID-19)
3. Personal Protective Equipment (PPE)
4. Hand Hygiene
5. COVID-19: PPE Guidance for Use



Five eCompetencies™ with evidence-based digital checklists that allow evaluators to confirm step-by-step knowledge and competency for:

1. Personal Protective Equipment (PPE): Applying and Removing
2. Handwashing
3. Surgical Face Mask: Application and Removal

4. N95 Respirator Application and User Seal Check
5. Cleaning and Disinfecting Environmental Surfaces

Your staff, your residents, and their families will feel more confident and at ease when you make this program available for your frontline workers. Learn more and get started today.

[Infection Control Program Registration Here](#)

## UPCOMING SEMINARS & WEBINARS

**AHCA** ARIZONA HEALTH CARE ASSOCIATION Since 1952

**Webinar** 1 CEU NCIA

### Standards of Care: Master the Core Elements of LTC Clinical Excellence

**1 of 12** **Something Seems Off—Identifying Changes in Condition**

**Wednesday, January 20, 2021**  
12:00 pm – 1:00 pm

**Presenter:** Eleisha Wilkes  
RN, RAC-CT, RAC-CTA  
Clinical Consultant  
Proactive Medical Review

**TARGET AUDIENCE:** DONs, ADONs, Nurse Managers, MDS/RAI Team, Licensed Nurses, Dietary Personnel, Rehabilitation Staff, Administrators

- Critical nursing assessment and documentation best practices.
- Managing complex conditions through the interdisciplinary team.
- Establishing priority QAPI and Staff Development activities.

**\$35 member**  
**\$50 non-member**

**January 20 | Webinar**

### Standards of Care (1 of 12): Identifying Changes in Condition

(1.0 CEUs)

**Presenter:**  
**Eleisha Wilkes**  
RN, RAC-CT, RAC-CTA,  
Clinical Consultant,  
Proactive Medical Review

[Register Here](#)

**AHCA** ARIZONA HEALTH CARE ASSOCIATION Since 1952

**EPIC** Evidence-Based Practice Implementation Center

**3 CEUs** NCIA

### N-95 Respirator Fit Testing A Train-the-Trainer Program

- Practical training to become a respirator fit test provider for your facility.
- Socially distanced seating for 15 registrants per session.
- First come, first served basis (one registrant per facility).

**Thursday, January 21, 2021**  
Morning Session: 8:30 am - 12:00 pm | Afternoon Session: 1:00 pm - 4:30 pm  
7302 W. Chicago Street, Chandler, AZ 85226 (office of Clark Seif Clark, Inc.)

**Training Fee Only, \$450**  
**Training + Respirator Fit Test Kit, \$699**  
(Kit includes: hood, Bitrex solution set and 2 nebulizers)

**Trainer:** Derrick A. Denis, CIAQP, CAC, CIEC,  
Vice President, Indoor Environmental Quality,  
Clark Seif Clark, Inc. (CSC)

**TARGET AUDIENCE:** Infection Preventionists, DONs, ADONs, RNs

**January 21 | Seminar**

### N-95 Respirator Fit Testing: A Train-the-Trainer Program

**AFTERNOON SESSION HAS FIVE SEATS REMAINING**

(3.0 CEUs)

**Presenter:**  
**Derrick Denis**  
CIAQP, CAC, CIEC, Vice President, Indoor  
Environmental Quality,  
Clark Seif Clark, Inc. (CSC)

[Register Here](#)



**January 22 | Online Event**

**Winter State of the State with  
The Hertel Report**

**Guest Speakers:** *Arizona healthcare leaders* provide fresh insight and trends impacting our local managed care including Medicare Advantage, ACO/Direct Contracting Entities and Value-based Networks, Health Insurance Marketplace, ACA & SCOTUS, Other Headline News - COVID-19  
8 to 10:30am / Online Event  
\$125 Registration / \$15 Off Registration for Members of our Community Partner organizations like AHCA.  
Use coupon code: ahca2021

[Register Here](#)

Contact Maria Molina at mmolina@azhca.org if you have questions or ideas for future educational programming.

**AHCA Quality Education Calendar - 2021**

**Need more CEUs? Check out AHCA's On-Demand Webinar Portal**

[Webinar Portal](#)

**AHCA/NCAL Provider Magazine Adding Virtual Component**

AHCA/NCAL informed the state associations last week that *Provider* has embarked on a new project this year: a periodic digital issue interspersed with print issues. Since the digital issue is new, and readers are not accustomed to looking for *Provider* online, we are sharing this development here with you to keep you abreast of the topics of the day from AHCA/NCAL. The January *Provider* Technology Innovation issue covers three topics:

- **The Telehealth Phenomenon:** "It is one of the better things that has happened through this pandemic, and I am hoping that it stays in the future."—Holly Jarek, Seven Hills Pediatric Center



**February 17 | Webinar**

**Standards of Care (2 of 12):  
Fall Prevention & Management**

(1.0 CEUs)

**Presenter:**  
**Janine Lehman**  
RN, RAC-CT, CLNC  
Clinical Consultant  
Proactive Medical Review

[Register Here](#)

- **Cyber Security Alert!** “The reality is, many people, inside and outside long term care, make it rather easy for hackers to steal information and access computer systems.”—Steven Chies, North Cities Health Care
- **EMRs Assume Enhanced Role During Pandemic:** EMRs create customer reports that are “handy when staff need to pull infection control information. Alerts also display when vital signs and patient temperatures change.”—Gary Kelso, Mission Health Services



These stories and others in future editions of *Provider* are aimed at giving readers easier access to the news they need to operate in today’s fast-changing world of long term and post-acute care. The same quality, in-depth reporting will carry over from the print to digital product, and other new interactive features to *Provider* products will be unveiled in the coming months.





**Mark your calendars for our ...**

# Thursday Calls

Get the latest information on Social Work, Safety and DON

**February 4 | 10:00 am**

**DON with Kay Huff**

866-839-6133  
799 395 9020

**February 11 | 12:30 pm**

**Social Work with Paige Hector**

712-770-4700  
968760



**Business Affiliate  
Member Spotlight**

Revenue loss due to benefit denial is avoidable! Benefit Results is a National Benefit Coordination company dedicated to compassionate, policy-based



support to help clients maneuver through complicated government benefits that assist with the cost of care. Don't let your social work team handle these complicated issues alone—the Benefit Results team offers single case or monthly flat rate contracts to fit your needs.



**Website:** [www.benefitresults.com](http://www.benefitresults.com)

**Main Contact:** Jill Preston, Owner/CEO  
[jpreston@benefitresults.com](mailto:jpreston@benefitresults.com) or [info@benefitresults.com](mailto:info@benefitresults.com)  
844-810-1467

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See what's happening on our social sites:

