

Possible Action Plan for Implementation / Operationalization of the CMS LTC Facility Requirements of Participation Final Rule

I. Executive Level Briefing on the Final Rule and Requirements

- A. Need knowledge of the Rule and awareness of the scope and impact of changes.
- B. Get buy-in from leadership.
- C. Conduct budgeting and strategic resource planning for facility or organization overall.

II. Team Development – Create and Set Up Your Team

- A. Someone must be in charge of the planning.
- B. Must use interdisciplinary team throughout facility or organization.
- C. Delegate portions of the Rule to various individuals and/or subgroups.
- D. Team should be “across” the organization as well as “up and down.”
- E. Team should be well versed in scope of changes in the Rule.
- F. Be ready in advance – plan calendar dates for meetings to absorb and implement the changes.

III. Rule Release – Start Digesting the Rule

- A. Final Rule released on September 28, 2016.
- B. Copy sections of Final Rule and distribute, read, and digest amongst implementation teams and responsible staff.
- C. Make sure comments and responses to comments in Final are reviewed – they can aide in determining what is required.

IV. Identify Affected Facility and Company Policies

- A. Should be started now for major areas. There is little time to do everything!!!
- B. What policies are affected and need to be reviewed or rewritten?
- C. What new policies are needed?
- D. Inventory the list of polices to be changed or made – get ahead of the wave!

V. Identify Affected Positions, Job Descriptions, or Needed New Positions

- A. How will this affect your interactions with vendors, including pharmacy, physicians, therapy?
- B. What jobs or job titles in the facility are affected by changes in the Rule?
- C. Identify and inventory job descriptions needing changes or new positions needing descriptions.

- D. Does your facility or organization need new people (compliance, infection control, transitions of care, etc.)?
- E. How and from where will you recruit and hire these people?

VI. Training

- A. Who will lead in identifying the training “gaps” needed under the Rule?
- B. Identify what training the facility/organization now has and what “gaps” are needed under the Rule.
- C. What internal and external resources are needed to create the training programs?
- D. Develop a schedule to create new training programs.
- E. Calendar a roll-out of all the new required training.
- F. Model and determine how you will keep training current and ongoing.
- G. Trade associations and vendors will have training opportunities on the Final Rule – look for opportunities to use external resources if needed.

VII. Compliance and Ethics Program

- A. Start developing a compliance and ethics plan now.
- B. Although the plan is not required until November 28, 2017, it will be beneficial to create and implement the plan now.
- C. If your organization has five or more facilities, be sure to comply with the additional requirements in the Rule.

VIII. QAPI

- A. Begin development of systems for collecting and analyzing data for the QAPI program to improve facility performance.

Discuss with counsel how the facility will maintain QA and QAPI practices that can comply with requirements of disclosure of records when/if requested by state surveyors, while still maintaining the greatest possible protection over those records from disclosure to other third parties.