

Revised PASRR Process State Fact Sheet: Ohio

Last Updated: October 2, 2012

Thank you for providing feedback and additional documentation regarding your state's PASRR process. We have updated your state's Fact Sheet based on this information. To the best of our ability, the information below represents our understanding of your state's current PASRR system. The Fact Sheet is a living document, however, so please contact us if our findings are inaccurate or if your state revisits and updates its PASRR system. We are happy to incorporate these changes in a new assessment and Fact Sheet.

The results in this revised Fact Sheet will be incorporated into a revised draft of the National Review of State Policies and Procedures report to be circulated in 2013.

Introduction

The Centers for Medicare and Medicaid Services (CMS) is undertaking an effort to understand how different states design their Preadmission Screening and Resident Review (PASRR) processes, policies, and procedures. This report is a product of the PASRR Technical Assistance Center (PTAC), which is staffed by Mission Analytics Group and other external consultants.

CMS and PTAC have recently reviewed the processes and tools used in each state to identify persons with mental illness (MI) and/or mental retardation and related conditions (MR) who could be diverted or transitioned from nursing facilities. This review, and the report below, should help guide your state to better understand the strengths and weaknesses of its PASRR process and tools and to think about strategies for improving these systems. Ultimately, and in accordance with their intent to reduce the institutional bias in Medicaid long-term care, CMS seeks to ensure that:

- all individuals applying to nursing facilities are evaluated for MI and MR,
- that these individuals are placed in the most appropriate setting according to these evaluations, and
- that these individuals receive the services they need.

Through this review, we aimed to capture and present information as accurately as possible. However, we recognize that we may have misinterpreted your PASRR process or the content of the tools. Therefore, please read your State Fact Sheet carefully and clarify any misconceptions by emailing Ed Kako, ekako@mission-ag.com.

Please note that our use of the terms "mental illness" and "mental retardation" is a strict reflection of the language used in the current Code of Federal Regulations (CFR) regarding PASRR.

Objective

This review is an invitation for you to revisit your PASRR process and identify areas for improvement. Primarily, we aim to determine whether your state meets the Preadmission Screening and Annual Review of Mentally Ill and Mentally Retarded Individuals requirements detailed in the Code of Federal Regulations (42 CFR 483.100 – 42 CFR 483.138). However, the review is not meant to only address regulation compliance. We also assess whether your state's PASRR process reflects recent developments in clinical practice, which may not be captured in the regulation. For example, although the CFR does not require onset dates of medical diagnoses, good clinical practice entails collecting and using these data in assessments.

Methodology

Your state's PASRR process was reviewed based on the documentation you provided to your Regional Office PASRR Coordinator. Your state's documentation was reviewed independently by two reviewers working for the PASRR Technical Assistance Center (PTAC); any discrepancies between the two reviews were subsequently reconciled. The review focused on your state's general PASRR process as well as several specific requirements within the process. All reviews attempted to capture the *intent* of the provided documentation, not merely the exact words written on the page. In addition, we focused the review on *current* processes. If your state updates its process, please let us know so we can conduct a new assessment.

We made attempts to collect additional documentation from your state if we discovered that crucial information was missing from your inventory. Attempts to collect additional information included Internet searches and communication with your Regional Office PASRR Coordinator to request or clarify documentation provided. After two weeks, we resumed the review process with or without this information. A list of submitted and reviewed documentation is included in the appendix.

Using the CFR and good clinical practice as a basis, the reviewers identified data elements that should be recorded during the PASRR process. The values of these data elements were captured in the tables that follow (see Tables 1 through 4). Where necessary, the reviewers separated these data elements into the categories of mental illness and mental retardation. The degree to which your state fulfills each of the specific requirements of the Level II tool(s) was captured at one of three levels: comprehensive, absent, or partial (see Table 3). Your state's ability to meet a requirement was considered "comprehensive" if the documentation addressed all of the necessary elements of the relevant paragraph of the CFR, in addition to certain good clinical practices. Your state's ability to meet a requirement was considered "absent" if the documentation failed to address any of the necessary elements of the relevant paragraph of the CFR. Your state's ability to meet a requirement was considered "partial" if the documentation did not address all of the necessary elements of the relevant paragraph of the CFR or if the documentation did not address certain good clinical practices. A requirement was also considered "partial" if the documentation left room for a free response answer related to a data element (i.e. if questions on a Level II PASRR screening tool left room for an open ended

answer). Finally, a requirement was also considered “partial” if the documentation solicited, but did not provide, additional documentation related to a data element.

Findings about Your State

This section details the findings from the review of the documentation provided by your state. All reviews attempted to capture the intent of the provided documentation. A description of the data elements and possible values in the tables below can be found at the end of this section.

Tables 1 and 2 below reflect the timing and general requirements of the PASRR process in your state. Specifically, Table 1 aims to capture the sequence of events beginning at the determination of nursing facility level of care (NF LOC) through determinations made for Level II review(s). The table also captures critical elements of the NF LOC and Level I tools and processes as well as the requirements of agencies and persons at various stages of the process. Table 2 captures any comments the reviewer would like to convey to the state about the timing and requirements of the NF LOC, Level I and Level II assessments. In many cases, the comment is a section of the state’s documentation, indicating from where the reviewer obtained the relevant information.

Table 1: NF LOC, Level I, and Level II Timing and General Requirements

<u>OVERALL TIMING Part I</u>	<u>CFR</u>	<u>Relative to PASRR</u>	<u>Level of Severity</u>	<u>Document(s)</u>	
Determination of NF LOC	128(f); 132(a)	Concurrent with PASRR	Captured	Ohio JFS LOC Assessment, p. 1	
<u>Level I</u>	<u>CFR</u>	<u>Relative to Admission</u>	<u>Entity Completing</u>	<u>Entity Determining Need for Level II</u>	<u>Alternative Placement Questions</u>
Level I evaluation & determination	112(c)	Before Admission	NF	Medicaid	Yes, see comments
<u>OVERALL TIMING - Level II</u>	<u>CFR</u>	<u>Relative to Admission</u>		<u>Document(s)</u>	
Level II evaluation & determination	112	Before Admission		JFS PASRR rules, p. 11	
<u>GENERAL REQUIREMENTS - Level II</u>	<u>CFR</u>	<u>Present/Absent</u>	<u>Level of Severity</u>	<u>Responsible Entity</u>	<u>Discipline</u>
H&P	132(c)(1)	Present	Captured	Both SMHA & SMRA	See Comments
Mental status	132(c)(2)	Present	Captured	Both SMHA & SMRA	See Comments
Functional status	132(c)(3)	Present	Captured	Both SMHA & SMRA	See Comments

Table 2: Comments Regarding NF LOC, Level I, and Level II Timing and General Requirements

OVERALL TIMING Part I		CFR	Comments
Determination of NF LOC		128(f); 132(a)	
Level I		CFR	Comments
Level I evaluation & determination		112(c)	The Level I (form JFS 3622) may be initiated by the individual seeking the new admission, or by another entity on behalf of the individual (often the AAA), or by any state agency or their designee responsible for PAS. The NF is ultimately responsible for ensuring that the PAS/ID (Level I) is completed and the determination is on file (JFS PASRR rules, p. 10). Significant alternative placement questions on pp. 5-7 of JFS 3622.
OVERALL TIMING - Level II		CFR	Comments
Level II evaluation & determination		112	A determination of NF LOC and appropriateness is made as part of the Level II process.
GENERAL REQUIREMENTS - Level II		CFR	Comments
H&P		132(c)(1)	<ul style="list-style-type: none"> Ohio Department of Mental Health (ODMH) is responsible for Level II evaluations for persons suspected of having SMI. The Ohio Department of Developmental Disabilities is responsible for those suspected of having MR/DD. (JFS PASRR, p. 10). Per OAC 5123:2-14-01, the Ohio Department of Developmental Disabilities delegates the Level II evaluation to the county boards of DD. MI Level II: This form can only be completed by individuals with one or more of the following credentials: MD/DO, Psychologist, Psychology Assistant, LISW, LSW, LPCC, LPC, Counselor Trainee, MSN, or RN. MR Level II: MR Level II forms can only be completed by: physician, RN, MSN, clinical nurse specialist, certified nurse practitioner, LSW under supervision of a licensed independent social worker, licensed independent social worker, professional counselor under supervision of a professional clinical counselor, professional clinical counselor, or psychologist.
Mental status		132(c)(2)	
Functional status		132(c)(3)	

Table 3 below reflects the degree to which your state fulfills specific requirements detailed in the CFR and requirements related to more recent good clinical practices. The levels of detail below are specific to the PASRR Level II tool(s) provided by your state for mental illness and mental retardation. Requirements of the Level II tool(s) are significant as they represent a core component of the PASRR process. Keywords/phrases in italics were directly taken from the CFR. If the keyword/phrase is not in italics, the collection of these data is considered good clinical practice and not necessarily a requirement of the regulation.

Table 3: State PASRR Level II Checklist

SPECIFIC REQUIREMENTS - Level II	Keywords/Phrases	CFR (MI; MR)	Level of Detail
H&P			
Medical history	diagnosis(es); onset date(s)	MI: 134(b)(1)(i) MR: 136(b)(1)	Comprehensive Comprehensive
Neurological assessment	<i>motor functioning; gait; communication</i>	MI: 134(b)(1)(iii) MR: 136(b)(8)(9)	Comprehensive Comprehensive
Medication review	<i>current medications; allergies; side effects</i>	MI: 134(b)(2) MR: 136(b)(3)	Comprehensive Comprehensive
Medical Status			
Externalizing and internalizing behaviors	aggressive; disruptive; inappropriate; depression; anxiety; loneliness	MI: 134(b)(4) MR: 136(b)(15)	Comprehensive Comprehensive
Harm to self or others (intentional or unintentional)	<i>suicidal/homicidal ideation</i> self-injurious behaviors	MI: 134(b)(4) MR: 136(b)(15)	Comprehensive Comprehensive
Intellectual functioning	estimated IQ level (MR, low average, average, high average) MR range (mild, moderate, severe, profound)	MI: 134(b)(4) MR: 136(c)(1)	Comprehensive Comprehensive
Cognitive functioning	<i>memory; concentration; orientation; cognitive deficits</i>	MI: 134(b)(4)	Comprehensive
Reality testing	<i>delusions and hallucinations</i>	MI: 134(b)(4)	Comprehensive
Psychosocial evaluation	<i>current living arrangements; medical and support systems</i>	MI: 134(b)(3) MR: 136(b)(10)	Comprehensive Comprehensive
Functional Status			
ADLs/IADLs	<i>self-care; self-administration of medication</i>	MI: 134(b)(5)(6) MR: 136(4)-136(7), 136(12)	Comprehensive Comprehensive
ADLs/IADLs in community	<i>assessment of ability to perform ADLs in the community</i>	MI: 128 (f), 134 (5) MR:136(12)	Comprehensive Comprehensive
Support systems	<i>level of support needed to perform activities in the community</i>	MI: 134(b)(5)	Comprehensive
Other			
Need for NF	<i>appropriate placement is NF</i> <i>appropriate placement is other setting</i>	GENERAL: 126 MI: 134(b)(5)	Comprehensive Comprehensive

CMS would like to see language in your policies and procedures that demonstrates the importance your state places on transitioning patients into the least restrictive, appropriate care settings. Table 4 below reflects any information in the documentation provided by your state that relates to nursing facility diversion and transition requirements or practices. Because we did not specifically request this type of information, we are aware that a “Not Present” does not necessarily reflect the content of all of your state’s related documentation.

Table 4: Diversion and Transition Related Requirements or Practices

<u>Diversion/Transition Related Requirements or Practices</u>	<u>Keywords/Phrases</u>	<u>CFR (MI,MR)</u>	<u>Documents</u>
Training or instructions to contractors or evaluators on HCBS waivers	Info in training manuals or in training materials regarding waivers and other HCBS	N/A	JFS 03622 (Level I ID Screen)
Mission/vision of state diversion/transition philosophies related to other initiatives (i.e. Olmstead) in PASRR documents	Olmstead; other programs that work to rebalance between institutional and community based care	N/A	PASRR procedure 357; resource brochure
Transition to community for short term or long term residents who need MH services but not NF	Discharge; regardless of the length of stay	MI:118(1and2) MR:118(1and2)	DODD Rule
Info given on state plan services or other HCBS waivers for MH and MR services	Info on receiving services in an alternative appropriate setting	MI: 118 (c)(i-iv) MR: 118 (c)(i-iv)	JFS 03622 (Level I ID Screen)
Definition of specialized services as narrowly interpreted or broadly interpreted by the regulations	Use of specialized services beyond 24 hour inpatient psych and ICF/MR placements	MI:120(1) MR:120 (2) and 483.440(a)(1)	JFS PASRR Rules
Recommended services of lesser intensity, MH or MR services while in NF recommended	Recommendations by evaluators regarding what services are needed in NF to help person with MI or MR skill build	MI: 120, 128(h)(i) (4 and 5) MR: 120, 128(h)(i) (4 and 5)	PASRR Evaluation Summary and the Onsite Evaluator Manual
Other elements or practices related to diversion/transition	Other practices that states have implemented	N/A	JFS 07000

In the tables above, data elements and values should be interpreted to mean the following:

- “CFR” is the Code of Federal Regulations. Values in this column represent the Sections of the regulation within which the data element is based. Some are noted as pertinent to the screening process for mental illness “MI” and others for the screening process for mental retardation “MR.”
- “Relative to PASRR” refers to the stage at which the nursing facility level of care is determined relative to an individual’s PASRR Level I and Level II screenings. Reviewers chose among “before admission,” “after admission,” and answer “not given” for this element.
- “Level of Severity” refers to whether the provided documentation asks about a range (i.e. low, medium, high) of need for nursing facility care or a range of disability (ability) for history and physical, mental status, and functional status. Reviewers chose between “not captured” and “captured” for these elements.
- “Relative to Admission” refers to the stage at which the Level I and Level II tools are completed relative to an individual’s admission into a nursing facility. Reviewers chose among “before admission,” “after admission,” and “not given” for these elements.

Points for Consideration

- Revisions to your previous fact sheet (February 9, 2012) as a result of our additional review of your state are highlighted in green.
- Thank you for submitting additional documentation about your PASRR process, including examples of state eligibility tools, the revised Level II MI tool, and additional diversion and transition information.
- After the additional assessment of PASRR in your state, the two data elements from Table 3 that were previously considered “partial” are now found to be comprehensive. This is a result of the revisions made to your Level II MI tool. Both of your Level II tools are now considered entirely comprehensive.

Recommendations

- If necessary, contact your Regional Office Coordinator for more information about your state’s review.
- Visit the PTAC website at www.PASRRassist.org to help answer any outstanding questions you may have or to request an on-site visit from their team of consultants.
- Please feel free to reach out to us if you have any questions about this report or the review process. You can contact Ed Kako, the Director of PTAC, at ekako@mission-ag.com.

Appendix

Below is a list of submitted and reviewed documentation:

- Communicating about persons with disabilities.pptx
- Example Summary of Findings.docx
- JFS 03622.pdf (11/2010)
- Level II Smart Form unprotected v26.doc (V26-060810)
- OH 300-301 Onsite Evaluator Manual 6.4.10.docx (06/2010)
- OH P&P 10.22.10.docx (10/2010)
- PASRR for Contractors.pptx
- QA Scoring Tool Sample.pdf
- Generic_CARE.docx
- MDS 3 0 Version 1 00 2 10 1 10.pdf (10/2010)
- ODJFS 3697 Form.pdf (04/2003)
- PASRR Evaluation Summary (Level II).pdf (12/2009)
- Definitions Rule.docx (12/2009)
- DODD Rule.docx (12/2009)
- DODD Rule_2.docx (12/2009)
- JFS_PAS Rule.docx (12/2009)
- JFS_RR Rule.docx (12/2009)
- LOC Process Rule.docx (07/2008)
- ODMH Rule.docx (12/2009)
- DODD PASRR rule.pdf (12/2009)
- JFS 07000.pdf (11/2010)
- JFS PASRR rules.pdf (12/2009)
- Level II for DD (1).pdf (12/2009)
- MH PASRR rule.pdf (12/2009)
- Ohio JFS LOC Assessment.pdf (04/2003)
- pasrr.evaluation.report.pasar002.pdf (04/1997)
- pasrr.evaluation.summary.pasar004.pdf (02/1997)
- 357 Transition and Diversion Options-Procedure_2
- COEDIAAnswerSheet2010
- HCBS_0507_1
- Level II Smart Form protected v31-Ascend [ohio]_1
- OEDIAAnswerSheet2010
- OH PASRR Transition and Diversion Considerations 8.14.12
- PASRR_State_Fact_Sheet_Feedback_Form-OH.8.15.12