

DATE: April 1, 2020

TO: Medicaid Nursing Facility (NF) Providers
Tennessee Hospitals
TennCare Health Plans

CC: Jesse Samples, Executive Director, Tennessee Health Care Association
Dr. Wendy Long, M.D., President and CEO, Tennessee Hospital Association
Kristeena Wilson, Assistant Deputy Chief, LTSS Operations

SUBJECT: IMPORTANT Information Regarding Federal PASRR Requirements

As you may know, yesterday (March 31, 2020), TennCare received approval from the Centers for Medicare and Medicaid Services (CMS) for certain waivers requested as part of Tennessee’s 1135 Emergency Waiver application. This includes the ability to suspend all pre-admission screening and resident review (PASRR) assessments for 30 days.

You may also know that yesterday, CMS announced an array of temporary regulatory waivers that will apply broadly across all states (available at: <https://www.cms.gov/files/document/covid-long-term-care-facilities.pdf>). Also included among these broad waivers is the 30-day suspension of PASRR requirements.

Importantly, the 30-day PASRR suspension is a **one-time waiver** which cannot be extended or renewed. Thus, it is critical that it is invoked at the time when it is determined to be most needed—when relieving the administrative burden of these requirements will yield the greatest value to Tennessee’s hospitals and nursing facilities. Tennessee’s waiver authority provides that “[t]he effective date of the 30-day suspension of PASRR reviews will be determined by the state, but will take place during the declared emergency period.” We are communicating closely with our association partners—THCA and THA, and will rely heavily on their advisement around that timing.

We will notify nursing facilities and hospitals when the 30-day period will commence.

For now, please continue to comply with all federally required PASRR provisions. This includes a Level 1 screening for all residents newly admitted to your facility. Importantly, even when the Level 1 screening is positive, as provided in 42 CFR § 483.106(b)(2), a person who is found by a Level 1 screen to require a Level 2 evaluation may be exempted from such evaluation if the person:

- Is admitted to the NF directly from a hospital after receiving acute inpatient care at the hospital;
- Requires NF services for the condition for which he or she received care in the hospital; and
- The attending physician has certified before admission to the facility that the individual is likely to require less than 30 days nursing facility services.

Hospitals and/ or nursing facilities must still complete the level 1 screen, but the person will not have to complete the level 2 evaluation prior to discharge from the hospital and admission to the NF. NFs remain obligated to ensure that if it is subsequently determined that the individual will remain in the facility beyond the 30-day approval, a level 2 evaluation is completed.



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Please note that the 30-day hospital exemption request must be reviewed by a clinician to ensure appropriateness. The clinical review time for these exemptions is typically no more than 4 business hours. This does not, however, mean that it is being sent for a Level 2 review. We are having regular communications with our contracted PASRR vendor, Maximus (Ascend). They are expecting to see an increase in these requests and are staffing accordingly. While this includes limited staffing on the weekends, we strongly encourage hospitals to submit Level 1 screens by noon on Friday whenever possible to help facilitate the targeted 4-hour turnaround.

In the event that a Level 2 evaluation is required, for the time being, we have advised Ascend to perform document-based reviews or to leverage telephonic or other telehealth options for purposes of completing evaluations.

We will continue to do all we can to expedite those processes in order to facilitate timely discharge. Please alert us to any potential delays or concerns so we can address them quickly.