

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO	DATE
Wells	6-10-09

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOC NUMBER	000580	<input type="checkbox"/> I Prepare reply for the Director's signature	DATE DUE _____
2. DATE SIGNED BY DIRECTOR	C. M. S. Forney, Depo Per Dept. this should be N/A 7/6/09, see attached e-mail.	<input checked="" type="checkbox"/> Prepare reply for appropriate signature I I FOIA DATE DUE 6/30/09 DATE DUE _____ <input type="checkbox"/> Necessary Action	


APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

\* Please re-try to  
Jeff Saton's area,  
no system has been  
participating in  
conference calls and  
and that topics are  
in Jeff's area.  
Rich

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR**

**ACTION REFERRAL**

TO <i>M. Gao/Hall's</i>	DATE <i>6-10-09</i>
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<b>DIRECTOR'S USE ONLY</b>	<b>ACTION REQUESTED</b>
1. LOG NUMBER  <i>001680</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR  <i>Cc: Ms. Forkner, Depo</i> 	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>6/30/09</i>
	<input type="checkbox"/> FOIA DATE DUE _____
	<input type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



Center for Medicaid and State Operations  
Disabled and Elderly Health Programs Group (DEHHPG)

June 5, 2009

**RECEIVED**

JUN 10 2009

Ms. Emma Forkner  
Dept. of Health and Human Services  
PO Box 8206  
1801 Main Street  
Columbia, SC 29202-8206

Department of Health & Human Services  
OFFICE OF THE DIRECTOR

Dear Ms. Forkner:

This letter is to provide information and enlist your support and assistance regarding the implementation of the Nursing Home (NH) Minimum Data Set (MDS) Version 3.0 (functional and clinical assessment instrument utilized for all certified skilled nursing facilities (SNF) and nursing facilities (NF) residents). As you are probably aware, the SNF PPS Proposed Rule (CMS 1410-P) went on public display at the Office of Federal Register (OFR) on Friday, May 1, 2009. Comments on the SNF proposed rule are due on June 30, 2009, no later than 5 p.m. This proposed rule recommends updating the payment rates used under the prospective payment system for skilled nursing facilities for the fiscal year 2010. The rule also addresses important modifications for MDS and migration to version 3.0. Implementation of MDS 3.0 may have a substantial impact on State Medicaid programs in two important respects:

1. MDS 3.0 may reflect changes in items that States rely on to determine Medicaid case-mix payments for SNFs/NFs; and
2. One revised section, Item Q-Discharge Potential will support States' SNFs/NFs transition efforts and improve consumer choice and access to community-based services.

The Centers for Medicare & Medicaid Services (CMS) hosts monthly National MDS 3.0 teleconferences with State Medicaid Agencies (SMA). These calls provide an opportunity to raise any questions or concerns regarding MDS 3.0 transition. These discussions have assisted CMS in determining what information States need to effectively prepare for the implementation of MDS 3.0. Please find enclosed several attachments and internet references for documents that will inform and facilitate a successful MDS 3.0 transition in October 2010. To better understand any additional State Medicaid needs, we request that you provide information regarding the impact of MDS 3.0 implementation on SMA. To facilitate CMS review of the State responses, please submit comments in the format provided below. If additional impact categories are necessary, please include them in your response. We request that you provide written feedback to [MDSFORMEDICAID@cms.hhs.gov](mailto:MDSFORMEDICAID@cms.hhs.gov) by June 30, 2009.

**Impact Categories:**

1. **Access Programming Resources:** Resources necessary to address any systems changes necessary to use MDS 3.0 data made available on the QIES State server. (See Appendix A: CMSO-DNS MDS 3.0 National System Procedures for Getting Data).
2. **RUGS Programming Resources:** As CMS migrates to MDS 3.0 and RUG-IV, there may be systems implications for case-mix States that decide to maintain RUG-III using Section S MDS 2.0 payment items. Please consider any additional resources that may be necessary to maintain the current version of RUG-III or migrate to RUG-IV.
3. **Validation Costs:** As CMS migrates to MDS 3.0 and RUGs-IV, States should consider what will be necessary to validate Section S MDS 2.0 payment items used in a State's current case mix RUGs payment system.
4. **Training:** While CMS will sponsor several national "train the trainer" sessions for MDS 3.0, States should also consider the training needs of their State staff for MDS 3.0 implementation.

Since each State has different needs and usage of MDS, please identify all MDS 3.0 transition impacts. We realize that for SMAs to make accurate cost estimates they will need to look at available CMS documentation. Therefore, we have worked with CMS components to provide the following directory of where to find available reference documents:

1. [http://www.cms.hhs.gov/NursingHomeQuality/Intts/25\\_NHQIMDS30.asp](http://www.cms.hhs.gov/NursingHomeQuality/Intts/25_NHQIMDS30.asp) - Documents include:
  - a. ***MDS3.0 DRAFT Item Set V26 [PDF]*** (The final version of the MDS 3.0 item set, data specifications and RAI manual are scheduled for publication in October 2009.)
  - b. ***MDS 3.0 2010 Implementation Timeline [PDF]*** (Includes the MDS 3.0 implementation timeline and training plans.)
  - c. ***RUGIII MDS3 Mapping [PDF]*** (Includes RUG III-33, 44 & 53 calculation using only MDS 3.0 items.) **CMS hopes to have this document posted in the next two weeks.**
  - d. ***MDS 3.0 CATs Example [PDF]*** (This is a document that provides an example and descriptive information regarding the process for the MDS 3.0 Care Area Triggers [CATs], which are replacing the MDS 2.0 Resident Assessment Protocols [RAPs].) **CMS hopes to have this document posted in the next two weeks.**

2. [http://www.cms.hhs.gov/SNFPPS/02\\_Spotlight.asp#TopOfPage](http://www.cms.hhs.gov/SNFPPS/02_Spotlight.asp#TopOfPage) – Documents include:
  - a. ***RUGs III version 4 Comparison [ZIP]*** (Comparison of RUG-III to RUG-IV)
  - b. ***SNF PPS Proposed Rule [CMS 1410-P]***
  - c. ***MDS 3\_SNF NPRM FederalRegister\_2009-10461.pdf***  
***Consolidated States Section S Items.pdf and MDS 2.0 to 3.0 Item Navigational Reference.pdf***. The document entitled "Consolidated States Section S Items.pdf" is a list of items currently used by the States and will be included in the list of items that States can choose from for their Section S. The second document entitled "MDS 2.0 to 3.0 Item Navigational Reference.pdf" shows items that have been 'retired' from 2.0 and therefore will appear on the list that States can choose from to be included in their Section S under 3.0. If an item is currently in a section of MDS 3.0 and also in Consolidated States Section S Items.pdf then it will not be duplicated in the list of items that States can choose from to be included in their Section S.

We have been working with Medicaid staff in most States. Appendix B, entitled National MDS 3.0 Medicaid Teleconference Email Invitation List, provides a list of State teleconference participants that you may contact if you have questions.

Please submit any information regarding State Medicaid implementation of MDS 3.0 to MDSFORMEDICAID@cms.hhs.gov by June 30, 2009. Please call or e-mail Sandhya Gilkerson with questions at (410)-786-3290 or sandhya.gilkerson@cms.hhs.gov

Sincerely,



Terry Pratt  
Acting Director  
Disabled and Elderly Health Programs Group

#### Attachments

**For further information, you can contact the following persons:**

- Information related to financial and IT impact of MDS 3.0: Sandhya Gilkerson – [sandhya.gilkerson@cms.hhs.gov](mailto:sandhya.gilkerson@cms.hhs.gov);
- Nursing Home (NH) MDS Assessment Instrument content, training, and outreach: Tom Dudley – [thomas.dudley@cms.hhs.gov](mailto:thomas.dudley@cms.hhs.gov);
- SNF Prospective Payment System (PPS): Ellen Berry – [ellen.berry@cms.hhs.gov](mailto:ellen.berry@cms.hhs.gov);
- State systems for MDS transmission: Michael Stoltz – [michael.stoltz@cms.hhs.gov](mailto:michael.stoltz@cms.hhs.gov);
- NH MDS Data Use Agreement issues: Tina Miller – [tina.miller@cms.hhs.gov](mailto:tina.miller@cms.hhs.gov);
- NH related survey and certification issues: Chrissy Stillwell-Deaner – [christina.stillwelldeaner@cms.hhs.gov](mailto:christina.stillwelldeaner@cms.hhs.gov) and
- Nursing Home Transition programs: Mary Beth Ribar – [marybeth.ribar@cms.hhs.gov](mailto:marybeth.ribar@cms.hhs.gov).

## **Appendix A**

### **CMSSO-DNS MDS 3.0 National System Procedures for Getting Data**

#### **MDS 2.0**

There are currently four approved methods of receiving MDS 2.0 data assuming the State Medicaid Agency has a valid CMS Data Use Agreement (DUA):

1. Requests through CMS for which there is a processing fee
2. Requests through the State Survey Agency (SA)
3. Submission files copy function
4. CMS approved scripts run by the State Medicaid Agency (SMA)

#### **Methods 1 and 2**

Requests to CMS and the SA for data are initiated by the SMA and fulfilled by either CMS or the SA creating a text-string file and delivering it to the SMA.

#### **Method 3**

The submission files copy function requires a parameter to be set by the SA to invoke this feature. This function takes each nursing home's (NH) unedited MDS 2.0 submission file and copies it to a designated directory on the state's local area network (LAN). For example, if 50 nursing homes submit their assessment files in a day there will be 50 files copied to the state LAN. The component needing the raw data would then download the file and incorporate it into their system.

#### **Method 4**

Existing scripts for MDS 2.0 will continue to work because the MDS 2.0 data will remain on the state servers until normal removal of data occurs.

#### **MDS 3.0**

There will be three approved methods of receiving MDS 3.0 data assuming the State Medicaid Agency has a valid CMS Data Use Agreement (DUA):

1. Requests through CMS for which there will be a processing fee
2. Requests through the State Survey Agency (SA)
3. Daily assessment extract file

#### **Methods 1 and 2**

##### **Method 1 – same comment as for MDS 2.0**

As with MDS 2.0 requests to CMS and the SA for data are initiated by the SMA and fulfilled by either CMS or the SA creating a text-string file and delivering it to the SMA.

#### **Method 3**

The daily assessment extract file process is new with MDS 3.0. When MDS 3.0 is implemented, on a daily basis, assessments which have been added, changed, or deleted for that particular cycle will be pushed to the QIES state server. The assessments pushed to the state servers will be clean, edited assessments; the raw, unedited assessment data that was available for MDS 2.0 will not be available for MDS 3.0. These assessment files will remain on the state server for a period of eight (8) calendar days at which point they will be deleted. It is the responsibility of

the state agency to copy the data pushed to the servers into their system prior to the deletion of the data. Access to the directory containing these daily files will be available to the same staff as they now have to the directory access on the state server. The MDS 3.0 assessments being pushed to the QIES state server will be in a text-string flat file and not in a database file format. There will be a file specification and description made available prior to implementation. The flat file by default will have specific character positions in the file for each field or item on the assessment.

### Appendix B National MDS 3.0 Medicaid Teleconference Email Invitation List

State	Name	Office Phone Number	Title	Email Address
AK	Rita Walker	907-269-5025		<a href="mailto:rita.walker@alaska.gov">rita.walker@alaska.gov</a>
AL	Marilyn Chappelle	334-242-5009		<a href="mailto:marilyn.chappelle@medicaid.alabama.gov">marilyn.chappelle@medicaid.alabama.gov</a>
AL	Mia Sadler	334-206-5126		<a href="mailto:msadler@adph.state.al.us">msadler@adph.state.al.us</a>
AL	Tammy Mashburn	334-206-5301		<a href="mailto:TammyMashburn@adph.state.al.us">TammyMashburn@adph.state.al.us</a>
AL	WT Geary			<a href="mailto:WT.Geary@adph.state.al.us">WT.Geary@adph.state.al.us</a>
AL	Pat Thomas			<a href="mailto:Pat.Thomas@adph.state.al.us">Pat.Thomas@adph.state.al.us</a>
AL	Gwen Davis	334-206-5988		<a href="mailto:gdavis@adph.state.al.us">gdavis@adph.state.al.us</a>
AR	Suzanne Bierman			<a href="mailto:Suzanne.bierman@arkansas.gov">Suzanne.bierman@arkansas.gov</a>
AZ	Kim Elliott	602-417-4162		<a href="mailto:elliottk@azdhs.gov">elliottk@azdhs.gov</a>
AZ	Mary Benkert	602-364-3071		<a href="mailto:benkertm@azdhs.gov">benkertm@azdhs.gov</a>
CA	Janet Lynd			<a href="mailto:janet.lynd@cdph.ca.gov">janet.lynd@cdph.ca.gov</a>
CA	Paula Acosta			<a href="mailto:piacosta@yahoo.com">piacosta@yahoo.com</a>
CA	Betsy Howard			<a href="mailto:Betsi.Howard@dhcs.ca.gov">Betsi.Howard@dhcs.ca.gov</a>
CA	Mary Sayles			<a href="mailto:Mary.Sayles@dhcs.ca.gov">Mary.Sayles@dhcs.ca.gov</a>
CA	Terri Mack			<a href="mailto:terri.mack@cdph.ca.gov">terri.mack@cdph.ca.gov</a>
CMS CO	Christina Stillwell-Deaner	410-786-5520		<a href="mailto:christina.stillwelldeaner@cms.hhs.gov">christina.stillwelldeaner@cms.hhs.gov</a>
CMS CO	Debora Terkay	410-786-6825	CMS Nurse Consultant	<a href="mailto:Debora.Terkay@cms.hhs.gov">Debora.Terkay@cms.hhs.gov</a>
CMS CO	Ellen Berry	410-786-4528	Health Insurance Specialist	<a href="mailto:ellen.berry@cms.hhs.gov">ellen.berry@cms.hhs.gov</a>
CMS CO	Cheryl Wiseman	410-786-1175	OCSQ	<a href="mailto:cheryl.wiseman@cms.hhs.gov">cheryl.wiseman@cms.hhs.gov</a>
CMS CO	Karen Edrington	410-786-2166		<a href="mailto:karen.edrington@cms.hhs.gov">karen.edrington@cms.hhs.gov</a>
CMS CO	Mary Beth Ribar	410-786-1121	CMSO	<a href="mailto:marybeth.ribar@cms.hhs.gov">marybeth.ribar@cms.hhs.gov</a>
CMS CO	Sandhya Gilkerson	410-786-3290	CMSO	<a href="mailto:sandhya.gilkerson@CMS.hhs.gov">sandhya.gilkerson@CMS.hhs.gov</a>
CMS CO	Melissa Hulbert	410-786-6568	CMSO	<a href="mailto:melissa.hulbert@cms.hhs.gov">melissa.hulbert@cms.hhs.gov</a>
CMS CO	Mike Stoltz	410-786-1841	CMSO-NS	<a href="mailto:michael.stoltz@cms.hhs.gov">michael.stoltz@cms.hhs.gov</a>
CMS CO	Mary Pratt	410-786-6867	OCSQ	<a href="mailto:mary.pratt@cms.hhs.gov">mary.pratt@cms.hhs.gov</a>
CMS CO	Sheila Lambowitz	410-786-7605	Director-Division of Institutional PostAcute Care	<a href="mailto:sheila.lambowitz@cms.hhs.gov">sheila.lambowitz@cms.hhs.gov</a>
CMS CO	Thomas Dudley	410-786-1442	OCSQ	<a href="mailto:thomas.dudley@cms.hhs.gov">thomas.dudley@cms.hhs.gov</a>
CMS CO	Tina Miller	410-786-6735	DataUse Agreements	<a href="mailto:tinamiller1@cms.hhs.gov">tinamiller1@cms.hhs.gov</a>
CMS CO	Traci Archibald	410-786-8640	OCSQ	<a href="mailto:traci.archibald@cms.hhs.gov">traci.archibald@cms.hhs.gov</a>
CMS CO	Alesia Hovatter		OCSQ	<a href="mailto:alesia.hovatter@CMS.hhs.gov">alesia.hovatter@CMS.hhs.gov</a>



State	Name	Office Phone Number	Title	Email Address
CMS CO	Dan Timmel	410-786-8518	CMSO	<a href="mailto:daniel.timmel@cms.hhs.gov">daniel.timmel@cms.hhs.gov</a>
CMS CO	John Sorensen	410-786-5933	CMSO	<a href="mailto:john.sorensen@cms.hhs.gov">john.sorensen@cms.hhs.gov</a>
CMS CO	John Williams		CMSO-NS	<a href="mailto:john.williams@cms.hhs.gov">john.williams@cms.hhs.gov</a>
CMS CO	Sona Stepp	410-786-6815	CMSO	<a href="mailto:sona.stepp@cms.hhs.gov">sona.stepp@cms.hhs.gov</a>
CMS CO	Angela Taube	410-786-2638	CMSO	<a href="mailto:angela.taube@cms.hhs.gov">angela.taube@cms.hhs.gov</a>
CMS REG I	Mona Liblanc	617-565-1243	QIES Projects Coordinator	<a href="mailto:mona.liblanc@cms.hhs.gov">mona.liblanc@cms.hhs.gov</a>
CMS REG I	Edwin Huff	617-565-3309		<a href="mailto:edwin.huff@cms.hhs.gov">edwin.huff@cms.hhs.gov</a>
CO	Betty Keen	303-692-2894	RN, MDS/OASIS Coordinator	<a href="mailto:betty.keen@state.co.us">betty.keen@state.co.us</a>
CO	Connie Reinhardt	303-694-3605		<a href="mailto:crein@mslc.com">crein@mslc.com</a>
CO	Danielle Brannum	303-692-2913	MDS/OASIS Data Analyst & Automation Coordinator	<a href="mailto:Danielle.brannum@state.co.us">Danielle.brannum@state.co.us</a>
CO	Margret W oock	303-866-5980		<a href="mailto:margret.woock@state.co.us">margret.woock@state.co.us</a>
CO	Sandeep Wadhwa, MD	303-866-3058		<a href="mailto:sandeep.wadhwa@state.co.us">sandeep.wadhwa@state.co.us</a>
CO	Diane Taylor	303-866-2336		<a href="mailto:diane.taylor@state.co.us">diane.taylor@state.co.us</a>
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HI	Reuben Shimazu	808-692-7983		<a href="mailto:rshimazu@medicaid.dhs.state.hi.us">rshimazu@medicaid.dhs.state.hi.us</a>
IA	Jennifer Steenblock			<a href="mailto:JSTEENB@dhs.state.ia.us">JSTEENB@dhs.state.ia.us</a>
IA	Barbara Thomsen	800-383-2856 x2970	RAI Automation Coordinator	<a href="mailto:bthomsen@ifmc.org">bthomsen@ifmc.org</a>
ID	Debbie Ransom			<a href="mailto:ransomnd@dhw.idaho.gov">ransomnd@dhw.idaho.gov</a>

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ID	R Kellern	208-364-1918	ID Medicaid Office of Reimbursement Policy	<a href="mailto:pugatchs@dhw.idaho.gov">pugatchs@dhw.idaho.gov</a> <a href="mailto:KellernR@dhw.idaho.gov">KellernR@dhw.idaho.gov</a>
IL	Janice Cherry	630-844-8900	Bureau of Long Term Care	<a href="mailto:janice.cherry@illinois.gov">janice.cherry@illinois.gov</a>
IL	Ed Harvey	888-586-8717	MDS/OASIS Automation	<a href="mailto:Ed.Harvey@illinois.gov">Ed.Harvey@illinois.gov</a>
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IL	Rhonda Imhoff	217-785-5132	Help Desk IL RAI	<a href="mailto:Rhonda.Imhoff@illinois.gov">Rhonda.Imhoff@illinois.gov</a>
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MA	Joan Daniels			<a href="mailto:Joan.B.Daniels@state.ma.us">Joan.B.Daniels@state.ma.us</a>
MA	Lisa McDowell	617-222-7462	EOEA, MassHealth Office of Long- term Care	<a href="mailto:Lisa.McDowell@state.ma.us">Lisa.McDowell@state.ma.us</a>

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MD	Hiltner	410-767-1447		<a href="mailto:hiltner@dnhm.state.md.us">hiltner@dnhm.state.md.us</a>
MD	Lind Taylor			<a href="mailto:lindataylor@dnhm.state.md.us">lindataylor@dnhm.state.md.us</a>
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**Elizabeth Hutto - Log 680**

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**From:** Elizabeth Hutto  
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**Subject:** Log 680

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Brenda, Jeff said this log should be a no response necessary (NRN). Thanks! Faye

**RECEIVED**

JUL 06 2009

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