Understanding PASRR Categorical Decisions

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PTAC/NAPP PASRR web series

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**PASRR Components**

**Level I (broad screening)**
- Applies to every admission to every Medicaid certified NF
- Is there any suspicion of disability?

**Level II (comprehensive evaluation and determination)**
- Individualized & comprehensive
- Confirms or disconfirms suspected disability
- Makes placement recommendations: *Is NF the most appropriate placement?*
- Makes treatment recommendations

**Report and notifications**
- Legal document with placement and treatment ramifications
- Must be timely and explain the PASRR outcome
- After notification, the individual or family may appeal any adverse decision

**Follow-up assessments**
- *Many names, same requirements: resident review, targeted resident review, PASRR change in status, PASRR change of condition*
- PASRR laws insure that individuals admitted to the NF continue to be monitored for placement and treatment appropriateness
If the Level I indicates suspicion of a PASRR condition:

- Must be referred for Level II activity or be exempted / excluded from PASRR by PASRR authority
- All PASRR activity must be completed before NF admission
- At a minimum, two PASRR determinations must be made. These are whether the person:
  - Needs NF level of care
  - Requires PASRR specialized or specialized rehabilitative services
Exemption and categorical determinations

• The two PASRR decisions may be made either:
  ▫ *Individually* after review and evaluation of information regarding the individual’s status and needs
  ▫ *Categorically* if there is sufficient documentation that the individual meets key criteria under regulation

• There are 9 federal options for NF admission without a full Level II PASRR evaluation
  ▫ Some options identify that *NF is needed*
  ▫ Some determine that PASRR *specialized services are not needed*
  ▫ Some have well defined time limits for approval for NF stays
Federal options for NF admission without a full Level II evaluation:

- One PASRR *exemption*
  - Exempted Hospital Discharge

- One *exclusion of from PASRR* population due to advanced dementia with SMI
  - Primary Dementia and MI (Not correctly referred to as an exemption)

- 7 identified PASRR categorical decisions
  - Serious illness
  - Terminal illness
  - Provisional delirium
  - Provisional emergency
  - Respite
  - Convalescent stay
  - Dementia and MR
Exemption, exclusion, categorical

One PASRR *exemption*
- delays Level II activity until after the 30 day period

One *exclusion of from PASRR* population due to advanced dementia with SMI
- essentially can be a negative Level I or a negative Level II finding, needs to be documented and the basis for the finding explained and notification made

7 identified PASRR categorical decisions
- these constitute shortened Level II activities
Categorical decisions and exemptions apply to people with Level II conditions as a way to expedite decisions regarding a person’s needs when a full Level II assessment is not necessary.
Exempted hospital discharge

Criteria:
- Admission to an NF from a hospital after receiving acute medical care
- The admission is to treat the same medical condition treated at the hospital
- The attending physician has certified that the stay is unlikely to exceed 30 calendar days
- The individual medically needs NF services
Exempted hospital discharge

• Permits admission to the NF with no further pre-admission evaluation activity

• Time limited NF approval: A full Level II evaluation must be completed on or before the 40th calendar day from the individual’s admission to the NF

• Require notice but no Level II write up or recommendations

• 483.106(a)(2)
Exclusion from PASRR: Primary dementia

- Invoked only when dementia co-occurs with serious mental illness and:
  - Dementia is *both* primary and advanced
  - Such that the mental illness will not likely be the primary focus of treatment attention again for the individual

- The burden is on the referral source to *clearly support and document* that the dementia is both advanced and will remain primary over the mental health diagnosis
  - Regulation considers the individual with advanced dementia to *not have SMI for PASRR purposes*

- If any doubt, a Level II evaluation must be conducted
Exclusion from PASRR: Primary dementia

- Permits admission to the NF with no further PASRR evaluation activity indicated. However:

- November 30, 1992 FR 56455, 56458 States are required to:
  - Look beyond diagnostic labels
  - Take reasonable measures to assure that diagnoses are accurate
  - Look behind the determinations made to assure that inappropriate dementia diagnoses were not routinely used to avoid the need for review

- 483.102(b); 483.128
PASRR Categorical decisions:

Allow the state to decide, by virtue of the person fitting into a category, that:

NF is approved, or,

Specialized disability services are not necessary
## PASRR decisions permitted through categorical decisions:

<table>
<thead>
<tr>
<th>Categorical</th>
<th>Decisions permitted based on category</th>
<th>Decision to be made based on individual data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Severe Illness</td>
<td>NF is needed</td>
<td>Are specialized services needed?</td>
</tr>
<tr>
<td>Terminal illness</td>
<td>NF is needed</td>
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</tr>
<tr>
<td>Provisional Delirium</td>
<td>NF is needed and specialized services are not needed</td>
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<td>Dementia and MR</td>
<td>Specialized services are not needed</td>
<td>Is NF needed?</td>
</tr>
<tr>
<td>Other state categorical</td>
<td>Must specify</td>
<td>Must specify</td>
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</table>
Categorical: Severe Illness

- The individual has a documented medical condition that is so severe that the individual would be unable to benefit from a program of specialized or rehabilitative MI/MR/RC care
  - Severe physical illnesses such as: Coma, ventilator dependence, brain-stem functioning, progressed COPD, progressed ALS, progressed Huntington’s etc.

- Determines: Categorically NF is necessary

- A categorical Level II evaluation report must be issued

- There is no set time limit within which a Level II evaluation must occur, however:
  - If the medical condition improves to the extent that the individual might respond to services for his/her MI/MR/RC condition, a request for a full Level II evaluation must occur
Categorical 2: Terminal Illness

- The individual has a documented terminal condition
- Affirm there is no current risk to self or others and behaviors/ symptoms are stable
- Determines: Categorically NF is needed
- A categorical Level II evaluation report must be issued
- There is no set time limit within which a Level II evaluation must occur, however:
  - If the medical condition improves to the extent that the individual might respond to services for his/her MI/MR/RC condition, a request for a full Level II evaluation must occur
Categorical 3: Provisional Delirium

- Provisional admissions pending further assessment in cases of delirium where an accurate diagnosis cannot be made until the delirium clears;
- Determines: Categorically NF needed, SS not needed
- The state must specify a time limit for this decision [483.130(e)].
- A categorical Level II evaluation report must be issued
- If the individual will continue to require NF placement, then he/she must have a full Level II PASRR evaluation completed before the end of the period
Categorical 4: Provisional Emergency

• Pending further assessment in emergency situations requiring protective services
• Federal time limit: placement in a nursing facility not to exceed 7 days
• Determines: Categorically NF needed, SS not needed
• A categorical Level II evaluation report must be issued
• If the individual will continue to require NF placement, then he/she must have a full Level II PASRR evaluation completed before the end of the period
Categorical 5: Respite stay

- Very brief and finite stays of up to a fixed number of days to provide respite to in-home caregivers
  - to whom the individual with a PASRR condition is expected to return following the brief stay
- The state must specify a time limit for this decision [483.130(e)].
- Determines: Categorically NF needed, SS not needed
- A categorical Level II evaluation report must be issued
- If the individual will continue to require NF placement, then he/she must have a full Level II PASRR evaluation completed before the end of the period
Categorical 6: Convalescent stay

- The individual is being admitted from a hospital to receive convalescent care to treat the same medical condition treated at the hospital
  - Does not meet criteria for EHD
- Determines: Categorically, NF needed
- The state *must specify a time limit for this decision* [483.130(e)].
- A categorical Level II evaluation report must be issued
- If the individual will continue to require NF placement, then he/she must have a full Level II PASRR evaluation completed before the end of the period
Categorical 7: Dementia and MR

- For individuals with co-occurring dementia and mental retardation or related condition
- Determines: Categorically, specialized services are not needed
- The PASRR authority must still determine if NF is needed
- A categorical Level II evaluation report must be issued
- The state may opt to specify a time limit
Option for states to develop categories

- Federal code regarding PASRR categorical decisions reads:
  - (d) *Examples of categories. Examples of categories for which the State mental health or mental retardation authority may make an advance group determination that NF services are needed are—*

- This suggests that states may create other categories for:
  - NF is *categorically needed* or
  - Specialized services are *categorically not needed*

- Must be approved in SPA by CMS
How does a state change or add PASRR categorical decision options?

- Submit any changes or additions through a state plan amendment
- Submit to your CMS RO, CMS CO will also review
- Use the PASRR SPA template
  - Posted on the NAPP and PTAC websites
Exemptions and Categoricals: Logistics

- Most states have Level I screeners indicate whether or not an exemption or categorical decision might apply. However:
  - The State PASRR authorities retain responsibility that statutory PASRR obligations are met;
  - NFs cannot make either of the two determinations
  - Exemption or categorical decisions must be based on current, accurate and sufficiently documented data indicating the person’s status
  - For categorical decisions, a categorical report must be generated and issued
PASRR SPA template

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM

State/Territory:__________________________________________

PASRR Level II Preadmission Screening by Categorical Determination

The following categories developed by the State mental health or mental retardation authorities may be made applicable to individuals identified by Level I as possibly having serious mental illness / mental retardation when existing data on the individual appear to be current and accurate and are sufficient to allow the reviewer readily to determine that the individual fits into the category. The data available includes physical, mental, and functional assessments as required by 42 CFR 483.132(c). An adequate inspection of records for a categorical determination takes the place of the NF or the Specialized Services individualized Level II evaluation. The State mental health or mental retardation authority produces categorical evaluation and determination reports as required by 42 CFR 483.128 and .130, prior to admission. When existing data is not adequate, or any judgment is required about the presence of serious mental illness / mental retardation, the individual is referred for individualized Level II evaluation. Individuals are either discharged or evaluated by Level II Resident Review within the specified time limits (if any). *(Check each that applies, and supply definitions and time limits as required.*)
PASRR SPA template

Categorical Determination that NF placement is appropriate. Specialized Services evaluation and determination by the SMH/MRA is individualized.

☐ Convalescent care from an acute physical illness which required hospitalization and does not meet all the criteria for an exempt hospital discharge, (which, as specified in 42 CFR 483.106(b)(2) is not subject to preadmission screening).

<table>
<thead>
<tr>
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☐ Terminal illness, as defined for hospice purposes in 42 CFR 418.3.

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☐ Severe physical illness such as coma, ventilator dependence, functioning at a brain stem level, or diagnosis such as chronic obstructive pulmonary disease, Parkinson’s disease, Huntington’s disease, amyotrophic lateral sclerosis, and congestive heart failure which result in a level of impairment so severe that the individual could not be expected to benefit from specialized services.

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**PASRR SPA template**

**Categorical Determination that NF placement is appropriate.** Option to also categorically determine by the SMH/MRA that Specialized Services (SS) are not needed. No categorical determinations are made that Specialized Services are needed.

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PASRR SPA template

Categorical determination that Specialized Services are not needed. No
categorical determinations are made that Specialized Services are needed.
Determination by the SMH/MRA that NF placement is appropriate is individualized.

Dementia and MR. The State mental retardation authority (not Level I screeners)
may make categorical determinations that individuals with dementia, which exists in
combination with mental retardation or a related condition, do not need specialized
services.

Additional Definition (optional)
The PASRR categorical report must:

1. Identify the name and professional title of the person applying the categorical determination
2. Identify the data on which the decision was based,
3. Explain the two PASRR determinations that have been made, including any mental health or specialized psychiatric rehabilitative services* that may be needed; and
4. Include the bases for the report’s conclusions
5. Be sent to all required entities
PASRR tracking requirements regarding individuals’ placement

The State must:

- Maintain records of all determinations, regardless of whether they were made categorically or individually
- Track the location of all individuals subject to PASRR
Assuring fidelity and preventing fraud

- States must ensure that data providing the basis for exemption and categorical decisions are available, documented, sufficient, accurate and used correctly.

- Many states do post-admission look behinds of randomly selected approved exemption and categorical decisions to assure that information provided was accurate and thorough.

- Many states analyze data to highlight and explore red flags:
  - Comparing statistics: statewide, by referral entity, by individual referrer and by delegated determiner.
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