

## HealthPRO Heritage's Position on Leveraging CMS 1135 Waivers

HealthPRO Heritage confidently stands by our interpretation that CMS waivers (now extended thru April 21) can be utilized in situations to prevent unnecessary hospitalizations for at-risk patients to avoid increased exposure risk to COVID-19 (regardless of the COVID-19 diagnosis.) These blanket waivers apply "as long as a patient meets the skilled level of care requirement," even if the provider is not in a high occurrence rate area, hospital is not full and/or there are no diagnoses of COVID-19.

**NOT Utilizing Waivers? Know What's at Stake!** SNFs who are not actively utilizing waivers should consider critically important 'big picture' factors:

- **Patient Advocacy:** Consider use of the waivers from a patient's perspective. Medicare beneficiaries are **entitled** to access services when deemed eligible. SNFs that are utilizing the waivers are indeed assuring that patients are maximizing the care that is rightfully available to them.
- **Unreimbursed Costs:** There's a big risk of being fiscally upside down on for SNFs. The costs associated with providing (but not taking credit for) skilled care (time, staff, expertise, supplies, etc.) is likely tipping a SNF's financial scale putting many at risk for financial loss overall.
- **Future of Healthcare Reform:** Industry leaders recognize the waivers as an opportunity for SNF owners/operators to flex their healthcare reform muscles. Utilize the waivers responsibly to demonstrate your industry's capacity to drive extraordinary patient outcomes through proactive, meaningful interventions. AND prove out how – with more efficient post-acute care transitions & cost savings – that SNFs can better align with CMS' Triple Aim. Ideally, CMS will have evidence to support a decision to forgo the arbitrary 3-day qualifying hospital day, for example.

**Leveraging Waivers Means a Commitment to Best Practices** SNFs who are leveraging use of the waivers are advised to invest in proactive steps to assure the following:

- Education is required to support clinical & interdisciplinary teams to define whether patients are deemed eligible
- Assure proper documentation (to support clinical decisions)
- Good communication with physicians, hospital systems (to share documentation; to receive referrals without 3-day stay, etc.)
- Collaboration with hospital partners (to avoid unnecessary hospitalizations)
- Be wary of resources that are providing either misinterpretation or misinformation
- Seek out support as needed to support education + interpretation + execution on processes. (HealthPRO Heritage offers subject matter expertise to assure compliant, effective strategic and tactical approach to leveraging waivers.

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