



# CMS Burden Reduction II

Updates to AAAASF Standards as it Relates to CMS Regulation Changes for RA/OPT's – December, 2019



- December 2019 CMS announced a set of approved changes referred to as the “Burden Reduction III” affecting the following programs:
  - **ASC**
  - **RHC**
  - **RA/OPT**
- The following presentation is a breakdown of the changes related to the CMS Burden Reduction in the RA/OPT program including revised crosswalks with standards revisions.



# RA/OPT Changes

## RA/OPT: 1600.010

- CMS has modified multiple EPP requirements.
- AAAASF has modified our standards to align with the new CMS specified requirements and time frames (most of the annual requirements are now biennial requirements).

**RA/OPT:**

**1600.010.002**

**1600.010.007**

**AAAASF's standard 1600.010.002 now requires:**

Emergency plan. The Provider/Supplier must develop and maintain an emergency preparedness plan that must be reviewed and updated at least every two (2) years.

**AAAASF's standard 1600.010.007 now requires:**

The plan must include a process for cooperation and collaboration with local, tribal, regional, State, and Federal emergency preparedness officials' efforts to maintain an integrated response during a disaster or emergency situation.

**RA/OPT:**  
**1600.010.002**  
**1600.010.007**  
**Survey**  
**Activities**

- Onsite surveyors must request a copy of the RA/OPT's Emergency Preparedness Plan:
  - Review Emergency Preparedness Plan for documentation/evidence that it has been reviewed and updated at least every 2 years.
  - Review plan for inclusion of a process for cooperation and collaboration with local, tribal, regional, State, and Federal emergency preparedness officials' efforts to maintain an integrated response during a disaster or emergency situation.

## RA/OPT: EPP 1600.010.009

### **AAAASF's standard 1600.010.009 now requires:**

Policies and procedures. The Provider/Supplier must develop and implement emergency preparedness policies and procedures, based on the emergency plan set forth in standard **1600.010.002** of this section, risk assessment in standard **1600.010.003** of this section, and the communication plan in standard **1600.010.023** of this section. The policies and procedures must be reviewed and updated at least every two (2) years.

# RA/OPT: 1600.010.009 Survey Activities

- Onsite surveyors must request a copy of the RA/OPT's Emergency Preparedness Policies and Procedures:
  - Review for evidence that policies and procedures include all required elements as outlined in **1600.010.002**, **1600.010.3**, and **1600.010.023**.
  - Review for documentation/evidence that policies and procedures have been fully implemented:
    - Assess for policy & procedure approval.
    - Assess for staff education on policies & procedures.
    - Assess staff knowledge, as appropriate, via staff interview.
  - Review policies and procedures for evidence that they have been reviewed and updated at least every 2 years.

## RA/OPT: 1600.010.023

### **AAAASF's standard 1600.010.023 now requires:**

Communication plan. The Provider/Supplier must develop and maintain an emergency preparedness communication plan that complies with Federal, State, and local laws and must be reviewed and updated at least every two (2) years.

# RA/OPT: 1600.010.023 Survey Activities

- Onsite surveyors must request a copy of the RA/OPT's Emergency Preparedness Communication Plan:
  - Review for evidence that the Communication Plan complies with applicable Federal, State, and local laws.
  - Review policies and procedures for evidence that they have been reviewed and updated at least every 2 years.

**RA/OPT:**

**1600.010.031**

**1600.010.033**

**1600.010.034**

**AAAASF's standard 1600.010.031 now requires:**

Training and testing. The Provider/Supplier must develop and maintain an emergency preparedness training and testing program that is based on the emergency plan set forth in standard **1600.010.002** of this section, risk assessment in standard **1600.010.003** of this section, policies and procedures in standard **1600.010.009** of this section, and the communication plan in standard **1600.010.023** of this section. The training and testing program must be reviewed and updated at least every two (2) years.

**AAAASF's standard 1600.010.033 now requires:**

The training program must provide emergency preparedness training at least every two (2) years.

**AAAASF's standard 1600.010.034 now requires:**

If the emergency preparedness policies and procedures are significantly updated, the Provider/Supplier must conduct training on the updated policies and procedures.

## RA/OPT:

1600.010.031

1600.010.033

1600.010.034

## Survey Activities

- Onsite surveyors must request a copy of the RA/OPT's Emergency Preparedness Training Plan.
  - Review for evidence that the Training Plan has been reviewed and updated at least every 2 years.
  - Review documentation/evidence that staff training on the Emergency Preparedness Plan has taken place at least every 2 years.
  - Review Emergency Preparedness policies and procedures for interim updates. If significant updates in policies and procedures have taken place, request that the RA/OPT provide documentation/evidence that staff training on these significant revisions to the plan have occurred.
  - Review policies and procedures for evidence that they have been reviewed and updated

RA/OPT:

**1600.010.037**

**1600.010.038**

**AAAASF's standard 1600.010.037 now requires:**

Testing. The Provider/Supplier must conduct exercises to test the emergency plan at least annually.

**AAAASF's standard 1600.010.038 now requires:**

The Provider/Supplier must participate in a full-scale exercise that is community-based every two (2) years; **or**

When a community based exercise is not accessible, conduct a facility-based functional exercise every two 2) years; **or**

If the Provider/Supplier experiences an actual natural or man-made emergency that requires activation of the emergency plan, the Provider/Supplier is exempt from engaging in its next required community-based or individual, facility-based functional exercise following the onset of the emergency event.

## RA/OPT: 1600.010.039

### **AAAASF's standard 1600.010.039 now requires:**

The Provider/Supplier must conduct an additional exercise at least every two (2) years, opposite the year the full-scale or functional exercise under paragraph (d)(2)(i) of this section **1600.010.038** is conducted, that may include, but is not limited to the following:

- A) A second full-scale exercise that is community-based, or an individual, facility-based functional exercise; **or**
- B) A mock disaster drill; **or**
- C) A tabletop exercise or workshop that is led by a facilitator and includes a group discussion using a narrated, clinically-relevant emergency scenario, and a set of problem statements, directed messages, or prepared questions designed to challenge an emergency plan.

## RA/OPT:

1600.010.037

1600.010.038

1600.010.039

## Survey Activities

- Onsite surveyors must review documentation/evidence that the RA/OPT has tested the emergency plan at least annually:
  - Participation in a full-scale community-based exercise, at least every 2 years; **or** a facility-based functional exercise has been conducted every 2 years.
  - If the facility has experienced an actual emergency requiring the activation of its EPP, the facility is exempt from participating in the required community-based or facility-based functional exercise following that emergency event. Documentation of this activation must be available for review, in order to be deemed compliant.
- Review documentation/evidence that the RA/OPT has completed one of the following exercises at least every 2 years, opposite the year that the full-scale or functional exercise was conducted:
  - A second full-scale exercise that is community-based, or an individual, facility-based functional exercise; **or**
  - A mock disaster drill; **or**
  - A tabletop exercise or workshop, meeting all requirements identified in **1600.010.039**



## AAAASF's RA/OPT Crosswalk for CMS Burden Reduction II December 2019

# AAAASF's Updated RA/OPT Crosswalk for CMS Burden Reduction III

<b><u>CFR</u></b>	<b><u>CMS Regulation</u></b>	<b><u>AAAASF Standard</u></b>	<b><u>Revised AAAASF Standard Language</u></b>
485.727(a)	Emergency plan. The Organizations must develop and maintain an emergency preparedness plan that must be reviewed and updated at least every 2 years. The plan must do all of the following:	1600.010.002	Emergency plan. The Provider/Supplier must develop and maintain an emergency preparedness plan that must be reviewed, and updated at least every two (2) years.
416.54(a)(1)	Be based on and include a documented, facility-based and community-based risk assessment, utilizing an all-hazards approach.	1600.010.003	The plan must be based on and include a documented, facility-based and community-based risk assessment, utilizing an all-hazards approach.
485.727(a)(5)	Include a process for cooperation and collaboration with local, tribal, regional, State, and Federal emergency preparedness officials' efforts to maintain an integrated response during a disaster or emergency situation.	1600.010.007	The plan must include a process for cooperation and collaboration with local, tribal, regional, State, and Federal emergency preparedness officials' efforts to maintain an integrated response during a disaster or emergency situation.
485.727(b)	Policies and procedures. The Organizations must develop and implement emergency preparedness policies and procedures, based on the emergency plan set forth in paragraph (a) of this section, risk assessment at paragraph (a)(1) of this section, and the communication plan at paragraph (c) of this section. The policies and procedures must be reviewed and updated at least every 2 years. At a minimum, the policies and procedures must address the following:	1600.010.009	Policies and procedures. The Provider/Supplier must develop and implement emergency preparedness policies and procedures, based on the emergency plan set forth in standard 1600.010.002 of this section, risk assessment in standard 1600.010.003 of this section, and the communication plan in standard 1600.010.023 of this section. The policies and procedures must be reviewed and updated at least every two (2) years.
485.727(c)	Communication plan. The Organizations must develop and maintain an emergency preparedness communication plan that complies with Federal, State, and local laws and must be reviewed and updated at least every 2 years. The communication plan must include all of the following:	1600.010.023	Communication plan. The Provider/Supplier must develop and maintain an emergency preparedness communication plan that complies with Federal, State, and local laws and must be reviewed and updated at least every two (2) years.

# AAAASF's Updated RA/OPT Crosswalk for CMS Burden Reduction III

<u>CFR</u>	<u>CMS Regulation</u>	<u>AAAASF Standard</u>	<u>Revised AAAASF Standard Language</u>
485.727(d)	Training and testing. The Organizations must develop and maintain an emergency preparedness training and testing program that is based on the emergency plan set forth in paragraph (a) of this section, risk assessment at paragraph (a)(1) of this section, policies and procedures at paragraph (b) of this section, and the communication plan at paragraph (c) of this section. The training and testing program must be reviewed and updated at least every 2 years.	1600.010.031	Training and testing. The Provider/Supplier must develop and maintain an emergency preparedness training and testing program that is based on the emergency plan set forth in standard 1600.010.002 of this section, risk assessment in standard 1600.010.003 of this section, policies and procedures in standard 1600.010.009 of this section, and the communication plan in standard 1600.010.023 of this section. The training and testing program must be reviewed and updated at least every two (2) years.
485.727(d)(1)(ii)	Provide emergency preparedness training at least every 2 years.	1600.010.033	The training program must provide emergency preparedness training at least every two (2) years.
485.727(d)(1)(v)	If the emergency preparedness policies and procedures are significantly updated, the Organizations must conduct training on the updated policies and procedures.	1600.010.034	If the emergency preparedness policies and procedures are significantly updated, the Provider/Supplier must conduct training on the updated policies and procedures.
485.727(d)(2)	Testing. The Organizations must conduct exercises to test the emergency plan at least annually. The Organizations must do the following:	1600.010.037	Testing. The Provider/Supplier must conduct exercises to test the emergency plan at least annually.
485.727(d)(2)(i)	Participate in a full-scale exercise that is community-based every 2 years; or	1600.010.038	The Provider/Supplier must participate in a full-scale exercise that is community-based every two (2) years; or
485.727(d)(2)(i)(A)	When a community-based exercise is not accessible, an individual, facility-based functional exercise every 2 years; or.		When a community based exercise is not accessible, conduct a facility-based functional exercise every two 2) years; or
485.727(d)(2)(i)(B)	If the Organizations experience an actual natural or man-made emergency that requires activation of the emergency plan, the organization is exempt from engaging in its next required full-scale community-based or individual, facility-based functional exercise following the onset of the emergency event.		If the Provider/Supplier experiences an actual natural or man-made emergency that requires activation of the emergency plan, the Provider/Supplier is exempt from engaging in its next required community-based or individual, facility-based functional exercise following the onset of the emergency event.

# AAAASF's Updated RA/OPT Crosswalk for CMS Burden Reduction III

<b><u>CFR</u></b>	<b><u>CMS Regulation</u></b>	<b><u>AAAASF Standard</u></b>	<b><u>Revised AAAASF Standard Language</u></b>
485.727(d)(2)(ii)	Conduct an additional exercise every 2 years, opposite the year the full-scale or functional exercise under paragraph (d)(2)(i) of this section is conducted, that may include, but is not limited to the following:	1600.010.039	The Provider/Supplier must conduct an additional exercise at least every two (2) years, opposite the year the full-scale or functional exercise (standard 1600.010.038) is conducted, that may include, but is not limited to the following:
485.727(d)(2)(ii)(A)	A second full-scale exercise that is community-based or an individual, facility-based functional exercise; or		A) A second full-scale exercise that is community-based, or an individual, facility-based functional exercise; or
485.727(d)(2)(ii)(B)	A mock disaster drill; or		B) A mock disaster drill; or
485.727(d)(2)(ii)(C)	A tabletop exercise or workshop that is led by a facilitator and includes a group discussion, using a narrated, clinically-relevant emergency scenario, and a set of problem statements, directed messages, or prepared questions designed to challenge an emergency plan.		C) A tabletop exercise or workshop that is led by a facilitator and includes a group discussion using a narrated, clinically-relevant emergency scenario, and a set of problem statements, directed messages, or prepared questions designed to challenge an emergency plan.
485.727(d)(2)(iii)	Analyze the Organization's response to and maintain documentation of all drills, tabletop exercises, and emergency events, and revise their emergency plan, as needed.	1600.010.040	The Provider/Supplier must analyze the Provider/Supplier's response to and maintain documentation of all drills, tabletop exercises, and emergency events, and revise the Provider/Supplier's emergency plan, as needed.