

**GUIDE to NURSING FACILITY ADMISSION and
CONTINUED STAY REQUESTS**

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Introduction

This Guide is intended to help nursing facility (NF) staff, hospital staff and other stakeholders understand the documents and processes involved in nursing facility admissions, continued stay requests and other situations that affect determinations regarding nursing facility residents.

Initial Nursing Facility Application and Admission

The nursing facility application process is managed through the Office of Aging and Adult Services (OAAS) Nursing Facility Admissions (NFA) Unit and must be completed before admission to a Medicaid certified facility can be made.

Applications may be submitted by the nursing facility, a hospital or any interested party working on behalf of an individual seeking admission to a nursing facility.

The application process for medical eligibility for any applicant to any Medicaid certified nursing facility consists of two components:

- the Level of Care Eligibility Tool (LOCET);
AND
- a *Level I Pre-Admission Screening and Resident Review (Level I PASRR)*

In order to complete the application process, the two components listed above must be received by OAAS. However, they may be submitted by the same or different individuals or entities. For example, it is common for hospital staff to complete the Level I PASRR and for nursing facility staff or a family member to complete the LOCET. It is also common for nursing facilities to complete both documents. It is important to note that an individual shall not be admitted to the nursing facility prior to the completion of the PASRR process regardless of who submits the documents. Depending upon the outcome of the Level I screen, applicants may also be required to complete the Level II PASRR process prior to admission.

LOCET

The LOCET is a screening tool that is completed via telephone to determine if an individual meets the Nursing Facility Level of Care (NF LOC) criteria for NF admission. The applicant, or someone acting on his/her behalf, will call Louisiana Options in Long Term Care at 1-877-456-1146 to complete the LOCET.

The NF LOCET is valid for 30 calendar days prior to the date of admission into a nursing facility. A new LOCET must be completed if the individual does not enter a nursing facility within 30 calendar days or following a [break in institutional care](#). (See page 8 for a definition of break in institutional care.)

A LOCET is not required if an applicant is currently receiving OAAS home and community-based services.

Level I Pre-Admission Screening and Resident Review (PASRR)

The *Level I PASRR Screen and Determination Form* is used to screen individuals for possible Level II PASRR related conditions: Serious Mental Illness (MI), Intellectual Disability (ID), Developmental Disability (DD) or Related Condition (RC). The screen consists of interviewing the applicant and/or individuals who would know the applicant's history and researching the applicant's medical history. The screen must be conducted regardless of payment source for any individual seeking admission to a Medicaid certified nursing facility.

The Code of Federal Regulations (CFR) prohibits the admission of applicants with serious MI or ID/DD/RC to a Medicaid certified nursing facility unless the applicant is properly evaluated and approved by the appropriate Level II authority.

- The Level II authority for MI is the Office of Behavioral Health (OBH).
- The Level II authority for ID/DD/RC is the Office for Citizens with Developmental Disabilities (OCDD). The 10 local governing entities (LGE) contracted with LDH, complete the Level II PASRR on behalf of OCDD. These entities are also known as Districts and Authorities.

The *Level I PASRR* form must be signed and dated by a qualified health care professional as defined by OAAS. A list of individuals considered to be qualified to conduct a Level I PASRR screen is included in the attached *Instructions for Completing the Level I PASRR Screen*. The *Level I PASRR* form is valid if it is signed within 30 calendar days prior to the date of admission to a nursing facility.

If the individual is known or suspected to have MI or ID/DD/RC, the referring entity should include additional documentation. The form itself lists required documentation for certain situations, but a broader list of recommended documentation that will be required for the OBH Level II review is included in the appendices to this Guide. Inclusion of these forms may significantly shorten the time needed for the Level II review. (See the [Office of Behavioral Health – Preadmission Screening and Resident Review](#) webpage.)

OAAS Review and Notification Process for Initial Applications

OAAS begins the review process once both application components— (the LOCET **AND** the Level I PASRR Form) --- are received. Louisiana law allows for 2 working days for a response.

If the applicant does not meet NF LOC as identified on the LOCET, OAAS issues a *Notice of Denial of Nursing Facility Services* with fair hearing and appeal rights to the applicant.

If the individual meets NF LOC and there is no evidence that the individual has a known or suspected MI/ID/DD/RC on the Level I Screen or in previous records, OAAS will:

- Issue a Form 142 *Notice of Medical Certification* indicating approval for nursing facility admission. This approval may be time limited.
- Send the Form 142 to the applicant.
- Email the Form 142 to the referral source who is asked to share it with the applicant and other involved entities.

If the applicant meets NF LOC and the applicant is known or suspected to have MI/ID/DD/RC condition, the OAAS will:

- Refer the application to the appropriate Level II authority for a final decision regarding admission.
- Issue a *Letter of Consideration* to the applicant and/or legal representative so they are aware the Level II authority must make the final decision. OAAS will send the *Letter of Consideration* to the applicant's home address via USPS. OAAS will also send the letter via email to the referral source.

Hospital Exemption Process

The applicant may be admitted directly into a nursing facility without a Level II consideration if the applicant meets the criteria for a hospital exemption and meets NF LOC. A hospital exemption is **ONLY** acceptable when:

- The applicant is being admitted directly to a nursing facility after receiving acute inpatient care in a hospital for a physical health condition; **AND**
- The applicant needs nursing facility care for the same condition for which they were admitted to the hospital; **AND**
- The attending physician certifies that the applicant will require nursing facility care for 30 calendar days or less.

If OAAS determines that the applicant meets criteria for a hospital exemption, OAAS will email a Form 142 *Notice of Medical Certification* and *Letter of Consideration* to the applicant, care of the referral source. The approval is limited to 40 calendar days. OAAS will also notify the Level II authority of the admission.

If the resident will need nursing facility care for a longer period than originally anticipated, the nursing facility will need to complete a continued stay request at least 10 calendar days prior to the expiration of the Form 142. (See the section on [Continued Stay Requests](#) below).

Continued Stay Requests

Nursing Facility's Responsibility with Continued Stay Requests

If the resident will continue to need services in a nursing facility beyond the expiration date on the Form 142 *Notice of Medical Certification*, the nursing facility must submit a continued stay request to the OAAS NFA Unit. The request consists of:

- a Continued Stay Request (CSR) form;
- AND**
- documentation to support the need for continued nursing facility care.

In general, the supporting documentation must provide the best clinical picture of the resident's current functioning and needs as possible. The most current guidance for needed documentation and means of submission will be posted to the [OAAS Facility – Based Programs](#) webpage, and notices will be sent to administrators when changes are made.

OAAS strives to limit the request only to information that is pertinent to the decision about the need for continued care. Facilities have sometimes included documents that make transmission more difficult and that are not necessary for the review, such as the 142, plans of care, the PASRR Level I Screen, activity notes and lab results. Facilities may be asked to send additional information if something in the review needs clarification or elaboration.

In order to avoid a lapse in Medicaid payment, the request must be submitted:

- **At least 10 calendar days** before the expiration of a **hospital exemption** Form 142 *Notice of Medical Certification*.

- **At least 15 calendar days** before the expiration of **any other time limited** Form 142 *Notice of Medical Certification*.
- **No earlier than 30 calendar days** before the Form 142 *Notice of Medical Certification* expiration date.

NOTE: Requests for residents approved for Technology Dependent Care (TDC), Neurological Rehabilitation Treatment Programs (NRTP) or Complex Care should continue to follow procedures outlined in Memoranda sent to nursing facilities certified for those services.

OAAS Process and Notification Regarding Continued Stay Requests

OAAS or OBH Decision:

OAAS staff will review the CSR form and documents to determine if the individual continues to meet nursing facility level of care. OAAS will conduct a desk review or an onsite review at the nursing facility to determine the need for continued nursing facility care. OAAS staff have complete discretion as to which type of review to conduct.

- For residents who meet criteria for NF LOC and are not known to have or suspected of having a mental illness, OAAS will issue a new Form 142 for continued nursing facility stay. Approval for continued stay may be time limited.
- For residents who do not meet criteria for NF LOC and who are not known or suspected of having a mental illness, OAAS will send a *Notice of Denial of Continued Medicaid Payment for Nursing Facility Services* with fair hearing and appeal rights to the resident at the facility via USPS. OAAS will also email the documents to the facility.
- Cases involving residents who are known to have or suspected of having a mental illness will be referred to OBH for decisions regarding continued stay.

OCDD Decision:

If the current Form 142 *Notice of Medical Certification* was issued by OCDD or was based on a hospital exemption for an individual with known or suspected ID/DD/RC, OAAS will refer continued stay requests to the appropriate LGE via email. The LGE will review and make a decision regarding the continued stay request. The facility will be copied on the email that OAAS sends to OCDD and the LGE.

Notice of Admission, Transfers and Status Change

Nursing facilities must complete a Form 148 *Notification of Admission, Status Change, or Discharge for Nursing Facility Care* and submit it to Medicaid electronically **no more than 2 working days** following:

- initial admission
- discharge
- exhausting seven hospital leave days
- return from hospital
- change in payment source to Medicaid

Break in Institutional Care

A break in institutional care occurs when the resident is discharged from a hospital or nursing facility to their home or another non-institutional setting. Following a break in institutional care, and prior to admission to a nursing facility, the applicant or someone acting on the applicant's behalf must complete a new PASRR Level I form even if the previously issued PASRR is less than 30 calendar days old. This allows adequate time for the completion of the PASRR process, especially in cases where the individual was previously approved for admission under a hospital exemption. A new LOCET is not required unless more than 30 calendar days have passed since it was completed.

Nursing Facility Transfers

A resident transferring directly from one nursing facility to another is not considered a break in institutional care. A new Level I PASRR, LOCET and Form 142 *Notice of Medical Certification* are not required. Both the receiving nursing facility and the facility from which the individual is being discharged must complete a Form 148.

Hospital Leave and Return

Transfer to a hospital (medical or psychiatric) from a nursing facility is not considered a break in institutional care unless the person discharges from the hospital to their home or another non-institutional setting. A new Level I PASRR, LOCET and Form 142 *Notice of Medical Certification* are not required upon direct return of the resident to any nursing facility from a hospital. However, the nursing facility must complete a Form 148 *Notification of Admission, Status Change, or Discharge for Nursing Facility Care* and

submit it electronically to Medicaid within 2 working days upon transfer to the hospital and again upon return to the facility.

Expired 142 Notice of Medical Certification

Expiration before NF Admission

It sometimes happens that the Form 142 *Notice of Medical Certification* expires while the applicant is still in a hospital or other institutional setting before the applicant has been admitted to any nursing facility. In such cases, another LOCET must be completed. A new PASRR may be needed as well if 30 calendar days have lapsed since it was signed.

Expiration after NF Admission

On occasion, the Form 142 *Notice of Medical Certification* expires while the resident is in a nursing facility, hospital, or other institutional setting. In these cases, a LOCET will not be accepted as sufficient evidence of medical need. Instead, nursing facilities must follow the procedures for a continued stay request and must contact the OAAS NFA Unit for guidance. OAAS will issue a temporary 142 to allow the nursing facility time to gather or create the needed documentation to support the need for continued nursing facility care.

Nursing Facility Administrative Appeals

Any applicant/resident denied nursing facility services has the right to a fair hearing (administrative appeal).

LDH Offices will send the applicant/resident a written notice of denial, a description of appeal rights and information on how to request a fair hearing with any notice of a denial of service. These items will be sent via mail.

The appeal must be filed within 30 calendar days from the date on the denial notice.

Appeals are handled by:

Division of Administrative Law (DAL) – LDH Section
P.O. Box 4189
Baton Rouge, LA 70821-4189
Telephone: (225) 342-5800
Fax: (225) 219-9823

NOTE: It is important to note that only denials of services can be appealed. Time limited approvals for nursing home admissions are not considered denial of a service and are not subject to appeal.

National Voter Registration Act

The National Voter Registration Act of 1993 (NVRA) requires that certain entities provide voter registration services to individuals. One of the primary objectives of the legislation is to establish procedures that will increase the number of eligible citizens who register to vote in federal and state elections. In compliance with the NVRA, OAAS sends a *Voter Registration Declaration (VRD)* Form and the *Louisiana Voter Registration Application (LA-VRA)* Form with any notice that is sent to the applicant/ resident. The forms are sent in the same method that the notice is sent.











Declared Emergencies

In the case of a declared emergency, the regular processes for NF admission and continued stay requests must be followed as required. If there are any changes to the NF admission and continued stay process due to a declared emergency, the NF will be notified by LDH.

Abbreviations/ Terms

DD:	Developmental disability
ID:	Intellectual disability
Form 142:	Reference for <i>Notice of Medical Certification</i> form completed by OAAS, OBH, or OCDD
Form 148:	<i>Notification of Admission, Status Change, or Discharge for Nursing Facility Care</i>
LGE:	Local Governing Entity, often also referred to as District and Authority. OCDD subcontractor for Level II determinations.
Level I Screen:	Screen required by federal law to determine if an individual has suspected or known MI/ID/DD/RC conditions
Level II Authority:	Entity responsible for final approval for nursing facility admission for individuals determined or suspected to have MI/ID/DD/RC (OBH and/or OCDD)
LOCET:	Level of Care Evaluation Tool
MI:	Mental illness
NF:	Nursing Facility
NFA:	Nursing Facility Admissions
Letter of Consideration:	Notice to applicant and applicant's legal representative that the application is being referred to the Level II Authority (OBH and/or OCDD)
NF LOC:	Nursing Facility Level of Care
NVRA:	National Voter Registration Act
OAAS:	Office of Aging and Adult Services
OBH:	Office of Behavioral Health
OCDD:	Office for Citizens with Developmental Disabilities
PASRR:	Pre-Admission Screening and Resident Review. Process required by federal law that consists of Level I and Level II screening and review.

List of Attachments

01-LOCET Questions.....	 LOCET-Questions.pdf
02-Level I Pre-Admission Screening and Resident Review	 NFA-Level1-PASRR.pdf
03-Instructions for Completing the PASRR Level I Screen	 NFA-Level1-PASRR-Instructions.pdf
Memoranda for Level II Required Documents	
04- February 24, 2016	 February-24-2016-Memorandum.pdf
05-December 4, 2017	 December-4-2017-Memorandum.pdf
06- May 30, 2018	 May-30-2018-Memorandum.pdf
07-Form 142 Notice of Medical Certification (Marked Sample)	 Form142.pdf
08- Letter of Consideration (Marked Sample)	 Letter-of-Consideration.pdf
09-Your Fair Hearing Rights (Marked Sample).....	 Your Fair Hearing Rights.pdf
10- Appeal Request for Fair Hearing Form (Marked Sample)	 Request for Fair Hearing.pdf