

## **RULE**

### **Department of Health and Hospitals Office of the Secretary Bureau of Health Services Financing**

#### **Nursing Facility—Infectious Disease—Tuberculosis**

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing has adopted the following rule in the Medicaid Program in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. A notice of intent on the bureau's proposed criteria for the reimbursement of nursing facility—infectious disease—tuberculosis level of care services was published in the July 20, 1993 issue of the *Louisiana Register* with a public hearing held on August 23, 1993. Subsequently on December 20, 1993, the department provided public notice of its revised proposed criteria and the date of the second public hearing, January 20, 1994, on this issue. The following rule is the result of these procedures and governs the nursing facility—infectious disease—tuberculosis level of care services for persons who meet the following criteria for multidrug resistant tuberculosis.

#### **Rule**

The Bureau of Health Services Financing has adopted the following criteria for the provision of the nursing facility—infectious disease—tuberculosis level of care services for persons with multidrug resistant tuberculosis.

#### **I. Determination of the Necessity for the Nursing Facility—Infectious Disease—Tuberculosis Level of Care**

The patient shall:

1. be referred to the nursing home only by the TB Section of the Office of Public Health;
2. have a diagnosis of active tuberculosis of the respiratory tract;
3. have an infection caused by the *Mycobacterium tuberculosis* or *Mycobacterium bovis*, but not by other mycobacterial species (atypical TB);
4. require 24-hour inpatient specialized skilled nursing care;
5. be treated under the umbrella of guidelines from the TB Section of the Office of Public Health and monitored by the regional TB clinician;
6. require that immediate isolation procedures be initiated and that the patient not be released from isolation until three sputum smears collected on consecutive days have been negative for acid-fast bacilli. Thereafter, sputum will be monitored at least biweekly or whenever symptoms recur or worsen. If the sputum smear again becomes positive for acid-fast bacilli, isolation will be immediately reinstituted.
7. be admitted under quarantine by the public health officer and be isolated while on this level of care;
8. have meals brought to the isolation unit;
9. have 24-hour security guard when needed;
10. be discharged from this level of care by the medical director of the nursing home with the concurrence and advise of the regional TB clinician.

## **II. Nursing Facility Requirements**

The nursing facility shall meet the following conditions.

1. The nursing facility shall be approved by the TB Section of the Office of Public Health to care for SNF-ID-Tuberculosis patients.
2. The nursing facility's approval from the Office of Public Health shall indicate that the facility has appropriate "Source-Control Methods" ventilation systems to prevent TB bacilli transmission in accordance with federal, state, and local regulations for environmental discharges.
3. The nursing facility shall monitor at appropriate intervals the ventilation system to maintain effective control of possible transmission of the TB bacilli.
4. The nursing facility shall initiate, update and maintain vigorous infection control policy and procedures to manage the infectious/contagious disease process according to current trends established by the Centers for Disease Control and Prevention.
5. The nursing facility shall employ or contract with an engineer or other professional with expertise in ventilation or other industrial hygiene. This person shall work closely with the Infection Control Committee in the control of airborne infections.

6. The nursing facility shall achieve, maintain and document compliance with all requirements outlined in the Minimum Standards for Nursing Facilities and the enhanced requirements for NF-ID.

7. The nursing facility shall inform the regional TB clinician if the patient becomes intolerant of TB medications or refuses TB medications.

## **III. Requirements for Participation for the Nursing Facility**

1. The facility shall be enrolled as a provider of the Nursing Facility/Infectious Disease (NF-ID) program with appropriate provider agreements to participate.

2. The facility shall be currently enrolled to provide nursing facility services to the level of care designation for the treatment of tuberculosis.

3. The facility has been designated by TB Control of the Office of Public Health to provide NF-ID-Tuberculosis care to those patients referred by them.

## **IV. Medical Certification Requirements in Addition to the Forms 148, 90-1 and PASARR for Participating Nursing Facilities**

1. The facility data submission shall follow the guidelines established for the level of care.

2. The following additional information requirements must be met:

a. outside information consisting of summary of drug therapy prior to admission, past and present history of nontubercular illness such as diabetes, previous drug reactions, laboratory test results and any previous eye or VIII Cranial Nerve tests (auditory and equilibrium);

b. physician orders specific to infection control for tuberculosis and other infectious diseases, including but not limited to, HIV and *Staphylococcus aureus*/Methicillin resistant *Staph aureus* infections.

c. documentation to support that appropriate isolation procedures were implemented on admission.

## **V. Reimbursement Requirements**

1. The 90-L, level of care and PASARR must be approved by the Department of Health and Hospitals, Health Standards Section.
2. Request for change in level of care when the patient is discharged from the NF-ID-Tuberculosis level must be submitted within five working days.
3. The NF-ID-TB reimbursement rate is not applicable to persons who have a nonpulmonary/respiratory diagnosis or who have atypical mycobacteriosis or who have a conversion of skin test without positive sputum.
4. The NF-ID-TB reimbursement rate will be paid during a hospital stay up to the customary 10-day bed hold policy.

Rose V. Forrest  
Secretary