

# IHCP *bulletin*

INDIANA HEALTH COVERAGE PROGRAMS    BT202155    JULY 8, 2021

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## **OMPP announces due dates and reinstatement penalties for LTC providers**

The Office of Medicaid Policy and Planning (OMPP) announces that the indefinite extensions granted in the May 19, 2020, coronavirus disease 2019 (COVID-19) Long Term Care Providers Update notice will expire June 30, 2021. Accordingly, due dates and associated penalties as stipulated in *Indiana Administrative Code 405 IAC 1-14.6*, *405 IAC 1-12* and the [Indiana State Plan](#) will be reinstated as stated in this bulletin. This information applies to nursing facilities and intermediate care facilities for individuals with intellectual disabilities (ICFs/IID).



### **Responses to Compliance Review Draft Reports**

Responses that have not been received to any Compliance Review Draft Reports issued prior to June 1, 2021, are due by July 31, 2021. Responses to any draft reports issued between June 1, 2021, and July 1, 2021, are due either July 31, 2021, or the date of their approved draft response extension, whichever is later. For any draft reports issued after July 1, 2021, responses are due 30 days after the draft report issuance unless a 30-day extension was requested and approved.

### **Due date for Requests for Reconsideration for nursing facility and ICF/IID rates**

For any Rate Notification Letters dated between January 16, 2020, and June 30, 2021, for which a request for reconsideration has not been filed, providers will need to submit a request for reconsideration by August 14, 2021. Beginning with Rate Notification Letters dated July 1, 2021, and after, the standard 45-day reconsideration period will be applied.

### **Due date for Requests for Reconsideration for nursing facility and ICF/IID final reports/P-Rates**

For any Preliminary Compliance Review Rate Notification Letters dated between February 16, 2020, and June 30, 2021, for which a request for reconsideration has not been filed, providers will need to submit a request for reconsideration by August 14, 2021. Beginning with Preliminary Compliance Review Rate Notification Letters dated July 1, 2021, and after, the standard 45-day reconsideration period will be applied.

### **Due date and penalty related to cost report submissions for nursing facility and ICF/IID providers**

All Medicaid cost reports previously extended to July 31, 2021, which are not submitted by August 31, 2021, will be subject to penalty effective September 1, 2021.

**Corrective remedy related to MDS reviews**

The corrective remedy will be reinstated and imposed to the administrative component for Minimum Data Set (MDS) reviews conducted January 1, 2022, or after where the percentage of unsupported assessments is greater than 20 percent. In accordance with *405 IAC 1-14.6*, the effective date of the penalty shall be the first day of the quarter following completion of the MDS review.

**Penalty related to Checklist of Management Representations submissions**

Effective July 1, 2021, failure to submit a Checklist of Management Representations within 90 days of the initial request will result in the imposition of a penalty effective the first day of the month following the expiration of the 90-day period.

**Penalty related to request for pre-field audit information**

Beginning August 1, 2021, the pre-field audit information request process as outlined in *405 IAC 1-14.6-3(c)* and the [Indiana State Plan](#) will apply for all pre-field audit information requests.

**Penalty related to request for post-field audit information**

Beginning July 1, 2021, the post-field audit information request process described in *IHCP Bulletin BT201251* will apply for all post-field audit information requests. For providers with outstanding post-field audit information requests that were sent prior to July 1, 2021, subsequent information requests will begin with the preliminary penalty letter as outlined in *BT201251*. Upon issuance of the preliminary penalty letter, which will be sent no sooner than July 1, 2021, providers are allowed a minimum of 60 days to provide the requested information before the penalty would be assessed if the information is not provided.

**QUESTIONS?**

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