

# ASPR TRACIE Technical Assistance Request

**Response Date:** 30 April 2019

## Request:

The requestor contacted ASPR TRACIE and asked if a “face-to-face” hand-off was required when evacuating patients to another healthcare facility.

## Response:

The ASPR TRACIE Team reached out to the Centers for Medicare & Medicaid (CMS) Quality, Safety & Oversight Group (QSOG) for a response related to the requestor’s requirement-specific questions. CMS provided the following response:

“The regulation requires facilities to have a system of medical documentation that preserves patient information, protects confidentiality of patient information, and secures and maintains availability of records, as well as a method for sharing information and medical documentation for patients under the [facility's] care, as necessary, with other health providers to maintain the continuity of care. Finally, there must also be policies and procedures that address a means, in the event of an evacuation, to release patient information as permitted under 45 CFR 164.510(b)(1)(ii).

CMS is not requiring per regulation to have a face-to-face; however, facilities are required to meet existing requirements of discharge planning and medical records. The receiving facility also must know what the patient’s condition is, basic information, etc. in order to provide treatment at the new facility.”

## CMS-Specific Information:

CMS published the [interpretive guidelines](https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html) and the State Operations Manual that addresses specific regulatory expectations. This is posted on their website (under the Downloads section): <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html>.

ASPR TRACIE has developed and collected a number of resources that we encourage you to use and believe will help facilitate compliance, including the resources provided in this response. However, this does not substitute review of the final rule text and interpretive guidelines. If you have specific questions about your facility’s compliance please review the interpretive guidelines, or contact your state’s survey agency or the CMS Quality, Safety & Oversight Group (QSOG) at the following email address: [SCGEmergencyPrep@cms.hhs.gov](mailto:SCGEmergencyPrep@cms.hhs.gov).

CMS and ASPR TRACIE are partnering to provide technical assistance, and share resources and promising practices to help affected providers and suppliers start or update the documents mandated by the new Emergency Preparedness rule. Additional key resources include:

- The ASPR TRACIE dedicated CMS Rule page: <https://asprtracie.hhs.gov/cmsrule>
- The entire CMS Emergency Preparedness Rule: <https://federalregister.gov/a/2016-21404>
- The CMS Emergency Preparedness Survey and Certification Page: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html>
- CMS has developed a Quick Glance Table of the rule requirements by provider type, to highlight key points of the new Emergency Preparedness rule. **NOTE:** This table is not meant to be an exhaustive list of requirements nor should it serve as a substitute for the regulatory text.
- ASPR TRACIE developed a [CMS Emergency Preparedness \(EP\) Rule Resources at Your Fingertips Document](#). Within this document are links to key resources:
  - CMS' developed [frequently asked questions \(FAQ\) documents](#) that synthesizes answers to commonly asked inquiries about the CMS EP Rule.
  - The FAQs, in combination with the CMS [at-a-glance chart](#) and [Provider and Supplier Type Definitions Fact Sheet](#), can help planners identify and address planning gaps and facilitate compliance with the regulations.
  - Interested in learning more about your local healthcare coalition? [This chart](#) can help you identify the preparedness office of your state public health agency. Remember: the release of the CMS EP Rule provides healthcare coalitions a tremendous opportunity to strengthen relationships and leverage a broader group of personnel and resources to provide for the medical needs of the whole community during a disaster.
  - To review the Medicare Learning Network National Call on the EP Rule, you can access the PowerPoint [slides](#), [transcript](#), and [audio recording here](#).