ASPR TRACIE Technical Assistance Request

Requestor:
Requestor Phone:
Requestor Email:
Request Receipt Date (by ASPR TRACIE): 1 November 2016
Response Date: 11 November 2016
Type of TTA Request: Standard

Request:

         requested technical assistance in researching communication resources. He noted that their organization is working on expanding their emergency plan to meet the new Centers for Medicare and Medicaid Services (CMS) Emergency Preparedness (EP) Rule requirements, and one area that they were reviewing was communication. He also asked if it was recommended that organizations identify backup communication systems (e.g., walkie talkies) and have redundancy in case telephone and cell phone lines are not working.

         also asked "what is the rule when it comes to HIPAA (Health Insurance Portability and Accountability Act) protection during a disaster?" For example, how does this apply when staff are checking on a home patient in a flood area and they need to ask neighbors questions such as, "have they seen the patient?"

Response:

The ASPR TRACIE Team researched several emergency planning resources related to communications, as well as homecare/ hospice-specific planning resources. In addition, the ASPR TRACIE Team researched materials related to HIPAA. These resources are provided in the sections below and are categorized as follows:

- Homecare and Hospice-specific Planning Resources (which include several emergency operations plans with communication components)
- Communication Plans, Tools, and Templates
- Communication Guidance Resources
- HIPAA Resources
- Other Resources

The ASPR TRACIE Team also reviewed several of our Topic Collections. For more resources on these topics, you can visit the following: Communication Systems Topic Collection, Emergency Operations Plans/ Emergency Management Program Topic Collection, and the Homecare and Hospice Topic Collection. A list of other comprehensively developed Topic Collections can be found here: https://asprtracie.hhs.gov/technical-resources/topic-collection.

CMS-specific Information:

CMS is currently developing the interpretive guidelines and the State Operations Manual that will address specific regulatory expectations. This is expected to be completed by Spring 2017.

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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 here. 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 when they are developed, contact your state's survey agency, or the CMS Survey and Certification Group (SCG) at the following email address: 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 has developed the *initial version* of its CMS Emergency Preparedness (EP) Rule Resources at Your Fingertips Document. Within this document are links to key resources:

- CMS' recently developed frequently asked questions (FAQ) document 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.
- If you missed the Medicare Learning Network National Call on the EP Rule, you can access the PowerPoint slides, transcript, and audio recording here.

I.   Homecare and Hospice-specific Planning Resources

Administration for Community Living. (2014). Keeping Older Americans and People with Disabilities Safe and Healthy during Emergencies. U.S. Department of Health and Human Services.

This webpage includes resources for individuals, service providers (including homecare providers), and community members on ensuring the safety of older Americans during emergency situations. Also included are links to resources, checklists, and apps for older adults and those with special needs and links to national guidance documents for higher level planning at the community, organization/system, and state levels.

Carey, P., Link, D. (n.d.). [The Critical Role of Home Care Providers in Emergency Preparedness & Response.](#) (Accessed 11/10/2016.)

This slide presentation from Maryland provides a general overview of the elements of emergency operations plans for homecare providers.

Carr, M., Hammon, R., Glenn, J., et al. (2010). [Emergency Preparedness Packet for Home Health Agencies](#). National Association for Home Care and Hospice.

This document is the product of large national workgroup and includes tools and templates that can be customized and used by hospice and homecare providers while developing all hazards emergency preparedness plans.

Gibson, H. (n.d.). [Before Its Too Late: Planning for an Emergency](#). (Accessed 11/10/2016.) Caregiver.com.

This article provides a general overview for seniors and caregivers about emergency preparedness. It includes a list of supplies and suggestions for ensuring equipment will be accessible and durable in the event of an emergency.

HCA Education and Research. (2012). [Home Care Emergency Preparedness: A Handbook to Assist Home Care Providers in Emergency Preparedness Planning](#). Home Care Association of New York State.

This handbook can help homecare providers develop emergency plans. It also features New York-specific state regulations.

Michigan Department of Health and Human Services. (2015). [Home Health Emergency Preparedness: A Handbook to Assist Home Health Care Providers in Emergency Preparedness Planning.](#)

This handbook was written to help Michigan homecare agencies develop and evaluate their emergency preparedness plans. Beginning in Chapter 3 it helps users define plan elements, assess their agency's level of preparedness (with the included checklist), develop a plan that addresses specific needs and populations, and test and evaluate the plan.

Mississippi State Department of Health. (n.d.). [Facilities Preparedness Emergency Operations Plan Template](#). (Accessed 11/10/2016.)

This website provides comprehensive downloadable emergency operations templates that can be customized and used by home health providers.

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The Association for Home and Hospice Care of North Carolina. (2007). [Emergency Preparedness Handbook.](#)

> This handbook was designed to help home and hospice care agencies, staff, and patients develop their disaster plans. It provides an introduction to a variety of hazards for providers, discussion scenarios, forms, and templates.

U.S. Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response. (2015). [Disaster Preparedness Planning for Older Adults](#).

> This website provides links to resources that can help assist older adults and seniors prepare for a myriad of emergencies including large scale disasters.

Virginia Department of Health, Office of Licensure and Certification. (2006). [Emergency Preparedness Planning for Hospice and Home Care Providers](#).

> This document provides clear, concise emergency plan guidance for hospice and homecare providers in Virginia (but it can be used by those in other states responsible for developing a plan).

II. Communication Plans, Tools, and Templates

Massachusetts Executive Office of Public Safety and Security. (2007). [Statewide Communications Interoperability Plan](#).

> This state plan is in a standard template form that illustrates how most states organize themselves for communications across different levels of government, vocational fields, and into non-governmental organizations such as hospitals.

Pressman, H. (n.d.). [Free Tools for Communicating During Disasters and Emergencies](#). (Accessed 11/10/2016.) Central Coast Children's Foundation, Inc.

> This resource list contains links to tools and apps for disaster communication with an emphasis on reaching people with communication challenges.

SAFECOM and Disaster Management. (n.d.). [Creating a Charter for a Multi-Agency Communications Interoperability Committee: Template and Questions to Consider](#). (Accessed 11/10/2016.) U.S. Department of Homeland Security.

> This template--geared towards a local, regional level--can help planners create a charter for an interoperability committee or governance group. It is laid out as a sample charter and includes suggested headings for each section as well as potential issues/questions that should be addressed when developing a committee.

III.   Communication Guidance Resources

SAFECOM and the National Council of Statewide Interoperability Coordinators. (2015). [Emergency Communications Governance Guide for State, Local, Tribal, and Territorial Officials.](#)

This guidance document lays out governance challenges, best practices, and recommendations for emergency managers at all levels to use in assessing, establishing, and maintaining communications governance. The document includes on the government landscape; charters, bylaws, and memorandum of agreement; the key elements of a governance body; and components of inter and intrastate local governance bodies.

U.S. Department of Health and Human Services. (2013). [The Hospital Preparedness Program (HPP) Healthcare Preparedness Capability Review National Call. Capability 6: Information Sharing.](#)

This call summary describes the National Hospital Preparedness Program Information Sharing Capability. Participants highlight patient tracking systems, communications equipment interoperability, and other points outlined in this capability.

U.S. Department of Health and Human Services, Healthcare and Public Health Sector Coordinating Councils. (n.d.). [Working Without Technology: How Hospitals and Healthcare Organizations Can Manage Communication Failure](#). (Accessed 11/10/2016.)

This article discusses redundant lower-tech methods for communicating to ensure staff are able to stay in touch in case of a loss of technological capability.

IV.   HIPAA Resources

ASPR TRACIE. (2016). [HIPAA and Disasters: What Emergency Professionals Need to Know](#).

Knowing what kinds of patient information can be released, to whom, and under what circumstances, is critical for healthcare facilities in disaster response. This guide is designed to answer frequently asked questions regarding the release of information about patients following an incident.

U.S. Department of Health and Human Services. (n.d.). [Health Information Privacy – Is HIPAA Privacy Rule Suspended during a National or Public Health Emergency?](#) (Accessed 11/10/2016.)

This webpage provides guidelines regarding the application of the Health Insurance Portability and Accountability Act during emergencies.

U.S. Department of Health and Human Services, Office for Civil Rights. (n.d.). Emergency Situations: Preparedness, Planning, and Response. (Accessed 11/10/2016.)

This website covers HIPAA privacy rules during emergency planning and response, including waivers. The website also provides links to other patient rights issues during emergencies.

U.S. Department of Health and Human Services, Office for Civil Rights. (n.d.). HIPAA Training & Resources. (Accessed 11/10/2016.)

These training and resource materials were developed to help entities implement privacy and security protections. This webpage includes videos and slides from state attorneys general training and educational programs for healthcare providers.

U.S. Department of Health and Human Services, Office for Civil Rights. (n.d.). Security Rule Guidance Material. (Accessed 11/10/2016.)

This webpage assists healthcare professionals find information about the HIPAA Security Rule and provides links to other standards and resources on safeguarding electronic protected health information.

V.   Other Resources

Federal Emergency Management Agency, Incident Management Systems Integration Division. (2009). Acronyms, Abbreviations, and Terms: A Capability Assurance Job Aid.

Emergency planners can use the information contained in this guide to develop materials based on commonly-used abbreviations, acronyms, and terms.

U.S. Department of Homeland Security. (2014). National Emergency Communications Plan.

This 5-year strategy document outlines the federal direction for getting the latest interoperable communication technology to all disaster response entities across the nation.

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