



CMS Emergency Preparedness Rule

*Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid
Participating Providers and Suppliers*

Understanding the Emergency Preparedness Final Rule Where Are We Now?

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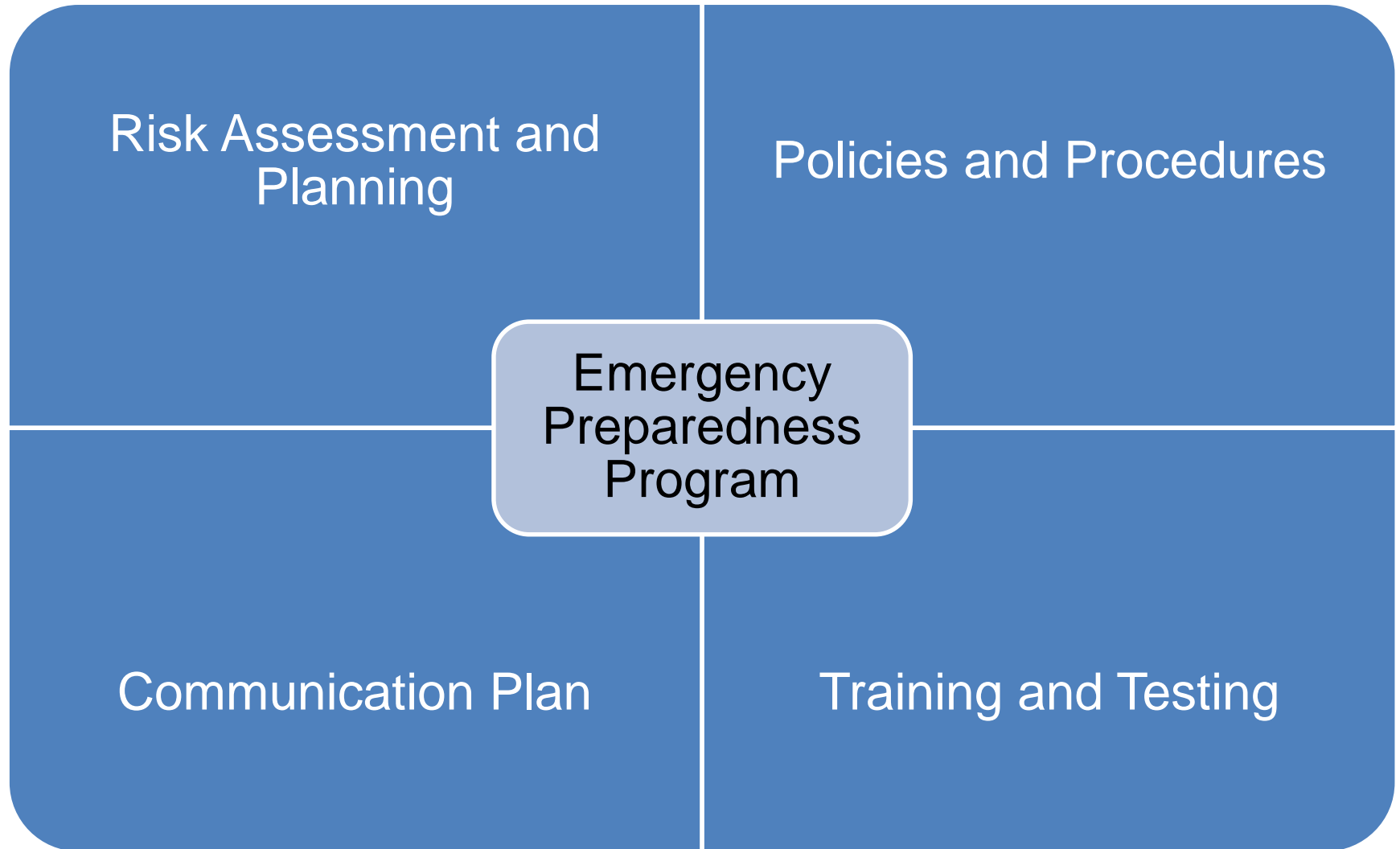
This publication is a general summary that explains certain aspects of the Medicare Program, but is not a legal document. The official Medicare Program provisions are contained in the relevant laws, regulations, and rulings. Medicare policy changes frequently, and links to the source documents have been provided within the document for your reference

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Final Rule

- Published September 16, 2016 with an implementation date of November 15, 2017
- Applies to all 17 provider and supplier types
- Compliance required for participation in Medicare (and Medicaid, as applicable)
- Emergency Preparedness is one new CoP/CfC of many already required
- Facilities began being surveyed for the new requirements after November 2017 in conjunction with their existing survey cycles
- In the event facilities are non-compliant, the same general enforcement procedures will occur as is currently in place for any other conditions or requirements cited for non-compliance.

Four Provisions for All Provider Types



What is an All-Hazards Approach:

- An all-hazards approach is an integrated approach to emergency preparedness planning that focuses on capacities and capabilities that are critical to preparedness for a full spectrum of emergencies or disasters
- Includes internal emergencies; man-made emergencies; and/or natural disaster.
- Specific to geographic location of the provider or supplier
- **These may include, but are not limited to, care-related emergencies, equipment and power failures, interruptions in communications, including cyber-attacks, loss of a portion or all of a facility, and interruptions in the normal supply of essentials such as water and food.**

Where are we now?

- Surveys began in late November and are being conducted by either health surveyors or Life Safety Code (LSC) surveyors
- Surveys are in conjunction with regularly scheduled survey cycles
- Limited inquiries in recent months from providers and suppliers on what to do in order to be compliant- good sign!

What do the data show?

- Preliminary Data has been pulled through our survey reporting system....
- For example, in pulling data from a State (CA):
 - Total facilities surveyed between late November to early February (EP eligible facilities) = **1179**
 - Total number of EP surveys with EP Tags Cited= **311**
 - **26% of facilities (CA) surveyed were cited for at least one EP Tag.**

What do the data show?

- Largest Number of E-Tags Cited are:
 - E-004: Emergency Plan
 - E-013: Policies and Procedures (General)
 - E-026: Communication Plan (General)
 - E-036: Training and Testing (General)
 - E-039: Testing Exercises
- As anticipated, one of the most frequent citations has been under the Testing provision of emergency preparedness (d)(2).

Training and Testing Program

- CMS has and will continue to reach out to local and state emergency officials to relay information on the EP Final Rule
- Challenges at state and local levels are:
 - Assisting multiple facilities in exercises with limited resources
 - Coordinating exercises relevant to facilities
- Risk Assessments & Compliant Training Exercises

What has been completed?

- In September, 2017, the surveyor training for emergency preparedness requirements was launched. Available at <https://surveyortraining.cms.hhs.gov/>
- Training through the Integrated Surveyor Training Website is also **available for providers/suppliers.**
- The website also provides important links to additional resources and organizations who can assist.
<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/index.html>

Resources Available

- ASPR's TRACIE Website
 - Provider Checklists are available
 - Risk Assessment Examples
- CMS encourages facilities to use TRACIE to allow for some level of consistency in format & development of programs
- Our CMS Website <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Emergency-Prep-Rule.html>

Next Steps

- CMS will continue to look at the data periodically to see if trends continue in certain areas
- CMS is partnering with other agencies to assist in providing additional resources for those areas of concern
- Facilities are recommended to work together. Do not re-invent the wheel!

Upcoming Webinar

- **National Emergency Preparedness (EP) Webinar for Providers**
- CMS will host a national webinar for EP Providers on topics and questions related to the new CMS EP Rule, the 1135 waiver and Lessons Learned (observations) within the past year.
- **What: National Emergency Preparedness Webinar**
- **Who: Emergency Preparedness Providers**
- **When: Tuesday, June 19, 2018 at 1:00-2:30 pm, ET.**
- Please use the following link to register for this upcoming webinar:
<https://events-cms.webex.com/events-cms/onstage/g.php?MTID=e7370c6aed632224a71e0c56b2b7a9bf9>
- **For questions related to content:** Please submit EP questions in advance to SCGEmergencyPrep@cms.hhs.gov.

Thank you!



SCGEmergencyPrep@cms.hhs.gov



TRACIE

HEALTHCARE EMERGENCY PREPAREDNESS
INFORMATION GATEWAY

ASPR's Technical Resources, Assistance Center, & Information Exchange

ASPR TRACIE: Three Domains



- Self-service collection of audience-tailored materials
- Subject-specific, SME-reviewed “Topic Collections”
- Unpublished and SME peer-reviewed materials highlighting real-life tools and experiences



- Personalized support and responses to requests for information and technical assistance
- Accessible by toll-free number (1844-5-TRACIE), email (askasprtracie@hhs.gov), or web form (ASPRtracie.hhs.gov)



- Area for password-protected discussion among vetted users in near real-time
- Ability to support chats and the peer-to-peer exchange of user-developed templates, plans, and other materials

ASPR TRACIE Topic Collections

Completed Topic Collections:

1. Access and Functional Needs*
2. Alternate Care Sites
3. Ambulatory Care and Federally Qualified Health Centers
4. Burns
5. Chemical
6. Coalition Administrative Issues
7. Coalition Models and Functions
8. Coalition Response Operations
9. Communication Systems
10. Continuity of Operations/ Failure Plan
11. Crisis Standards of Care
12. Cybersecurity
13. Dialysis Centers
14. Disaster Ethics
15. Electronic Health Records
16. Emergency Operations Plans/ Emergency Management Program
17. Emergency Public Information and Warning/ Risk Communication
18. Epidemic/ Pandemic Flu
19. Exercise Program
20. Explosives and Mass Shooting*
21. Family Reunification and Support
22. Fatality Management
23. Hazard Vulnerability/ Risk Assessment
24. Healthcare Facility Evacuation/ Sheltering
25. Healthcare Related Disaster Legal/ Regulatory/ Federal Policy
26. Homecare and Hospice
27. Hospital Surge Capacity/IBA*
28. Hospital Victim Decontamination
29. Incident Management
30. Information Sharing
31. Long-term Care Facilities
32. Mass Distribution and Dispensing of MCM
33. Mass Gathering/ Special Events
34. Mental/Behavioral Health (non-responders)*
35. Natural Disasters
36. On-scene Mass Casualty Triage and Trauma Care
37. Patient Movement and Tracking
38. Pediatric
39. Pharmacy
40. Pre-Hospital
41. Pre-Hospital Victim Decontamination
42. Radiological and Nuclear
43. Recovery Planning
44. Responder Safety and Health
45. Rural Disaster Health
46. SARS/MERS
47. Social Media in Emergency Response
48. Training and Workforce Development
49. Utility Failures
50. Veterinary Issues/ Topics*
51. VHF/Ebola*
52. Virtual Medical Care
53. Volunteer Management
54. Workplace Violence
55. Zika*

To Be Completed:

1. Bioterrorism
2. Blood and Blood Products

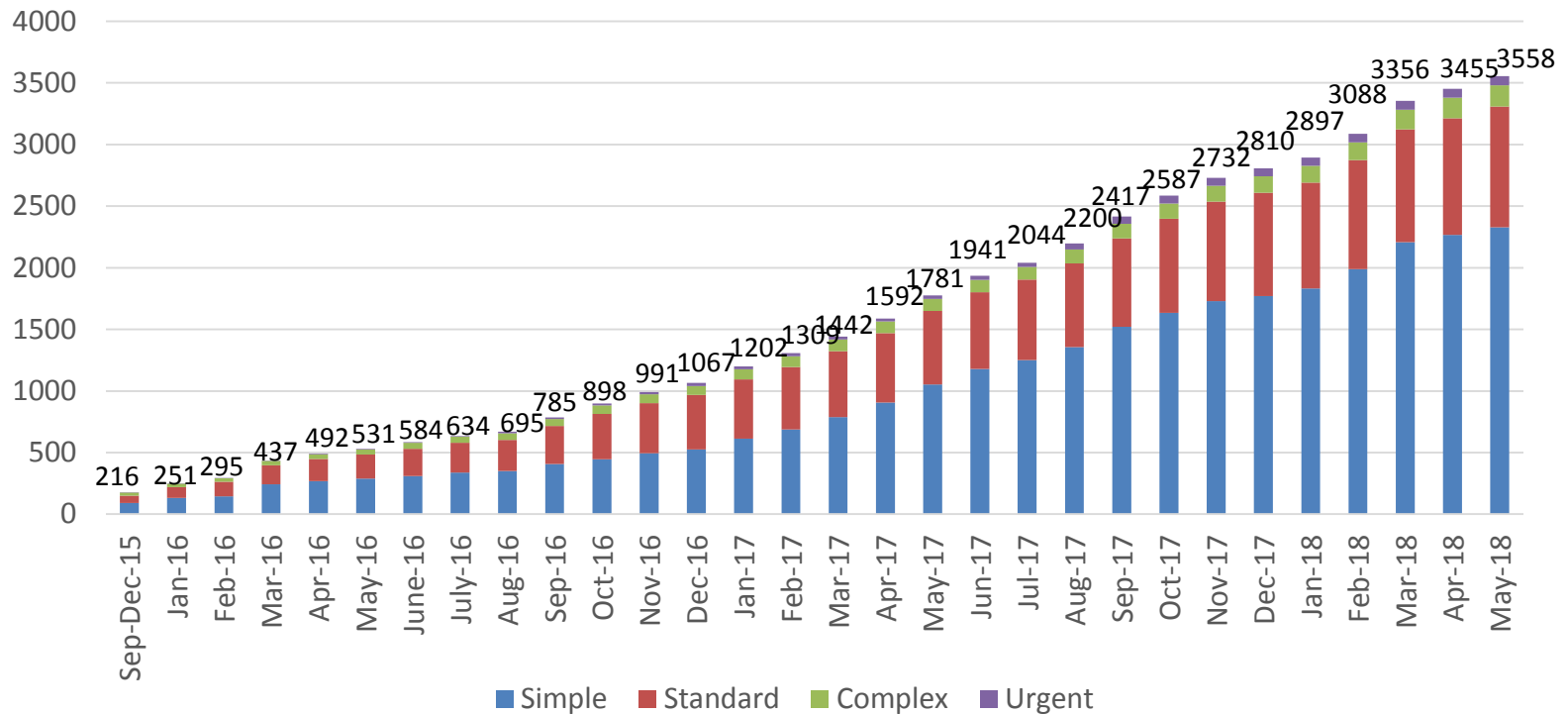
Select ASPR TRACIE-Developed Resources

- **Resources at Your Fingertips**
 - Avian Influenza (Including Asian H7N9)
 - CMS and Disasters
 - Disaster Behavioral Health
 - Hurricane
 - Zika
- **The Exchange** (approx. 3 times/year)
 - Issue 1: Crisis Standards of Care
 - Issue 2: Cybersecurity and Cyber Hygiene
 - Issue 3: Preparing For and Responding to No-Notice Events
 - Issue 4: Disaster Behavioral Health and Resilience
 - Issue 5: Looking Back, Looking Forward
 - Issue 6: Evacuating Healthcare Facilities
 - (Summer 2018) Issue 7: Challenges of Providing Care During Mass Violence Responses
- **Tip Sheets and Fact Sheets Examples**
 - EPAP
 - Evaluation of HVAs
 - Drug Shortages and Disasters
 - EMTALA and Disasters
 - Federal Patient Movement
 - HIPAA and Disasters
 - Opioids: FAQs
- **Webinars and Videos Examples**
 - Cybersecurity and Healthcare Facilities
 - New Resources to Help Improve Health Care Coalition Preparedness
 - Pediatric Issues in Disasters: Webinar
- **Express** (approx. every 6-8 weeks)

[ASPR TRACIE Resources Fact Sheet](#)

Total Technical Assistance Requests (By Month and Type)

As of 31 May 2018



- Average Monthly TA Requests (Sept 2015-Present): 104
- **Comments:**
 - Steady increase of monthly TA requests, but March 2018 was the highest number of TA requests at 267 (157% higher than the monthly average).

*1 Jan – 29 Sep 15 Total TA Requests: 104

ASPR TRACIE Technical Assistance



Top Technical Assistance Request Topics



*This category overlaps with a variety of technical assistance topics (e.g., emergency and communications planning, evacuation, and exercises).



Products Developed in Response to an Event



Who Requests Technical Assistance

Healthcare Entities	Federal Government	State/Local/HPP Awardee	HCC/ Other
35%	34%	18%	13%



Products Developed in Anticipation of an Event



Select ASPR TRACIE Special Projects

- Primary Care Providers Project
- Frontline Hospital Playbook
- PPE Calculator
- Triage Consensus Paper
- Healthcare Coalition Tools and Templates
 - Webinar Series
 - HCC Tools and Templates
- No-Notice Incidents
 - Healthcare Response to a No-Notice Incident: Las Vegas
 - No-Notice Incident Tip Sheets
 - ASPR TRACIE Exchange (Issue 7): Challenges of Providing Care During Mass Violence Responses

Select ASPR TRACIE Special Projects

- Upcoming Webinars:
 - Healthcare Challenges after Radiological Incidents (July 11, 2018, 2-3:15pm ET)
 - Radiological/Nuclear and Earthquake Cascading Effects Resources at Your Fingertips
 - Frontline Playbook and PPE Calculator (TBD, August 2018)
- Upcoming Resources
 - Blood and Blood Products Topic Collection
 - Bioterrorism Topic Collection
 - HCC Recovery Plan Template

ASPR TRACIE CMS EP Rule Resources

- ASPR TRACIE CMS EP Rule Page:
<https://asprtracie.hhs.gov/cmsrule>
 - CMS and Disasters: Resources at Your Fingertips
 - CMS Emergency Preparedness Rule: Integrated Healthcare Systems Implications
 - Relevant TCs, plans, and guidance
 - ~21% of ASPR TRACIE TA (744) are specific to the CMS EP Rule

Contact Us



asprtracie.hhs.gov



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askasprtracie@hhs.gov