

Implications of the CMS Emergency Management Rule



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Part II

Department of Health and Human Services

Centers for Medicare & Medicaid Services

42 CFR Parts 403, 416, 418, et al.

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



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Effectivity vs Implementation

- **Effective date:**
 - **November 15, 2016**
- **Implementation date:**
 - **November 15, 2017**
- **Provides opportunity to:**
 - **Evaluate plans**
 - **Update plans**
 - **Perform training**

Purpose of Rule

- **Establish national emergency preparedness requirements to:**
 - Plan adequately for disasters
 - Coordinate with federal, state, tribal, regional, and local emergency preparedness systems
 - Prepare to meet the needs of patients, residents, clients, and participants during disasters and emergency situations

§ 482.15 (Hospital) & § 485.625 (CAH) Condition of Participation

- **Hospitals must**
 - Comply with all applicable federal, state, and local emergency preparedness requirements
 - Develop and maintain a comprehensive emergency preparedness program utilizing an all-hazards approach
- **Program must include:**
 - Hospitals – 8 Elements
 - CAHs – 7 Elements

§ 482.15 Hospital Overview

- **Program must include**
 - (a) – Emergency Plan
 - (b) – Policies and Procedures
 - (c) – Communication Plan
 - (d) – Training and Testing
 - (e) – Emergency and Standby Power Systems
 - (f) – Integrated Healthcare Systems (Optional)
 - (g) – Transplant Hospitals (If Applicable)
 - (h) – Reference Standards

485.625 CAH Overview

- **Program Must Include**

- (a) – Emergency Plan

- (b) – Policies and Procedures

- (c) – Communication Plan

- (d) – Training and Testing

- (e) – Emergency and Standby Power Systems

- (f) – Integrated Healthcare Systems (Optional)

- (g) – Reference Standards

Key Takeaways

- **Generator location and testing**
 - **Inspect, test, and maintain per**
 - **NFPA 101, 99 & 110**
 - **Locate per**
 - **NFPA 99 & 110**
 - **New construction**
 - **Renovation**

Key Takeaways

- **Community involvement**
 - **To cooperate with LTRSF EPOs**
 - **To document efforts**
 - **CMS intent:**
 - **Responsibility for ensuring a community-wide coordinated disaster preparedness response is under the state and local emergency authorities**

Key Takeaways

- **Integrated system-wide planning**
 - **May elect to participate in coordinated EPP**
 - **Each facility must participate in development**
 - **Must reflect uniqueness of each facility**
 - **Demonstrate each facility is capable of actively using integrated system**

Key Takeaways

- **Communication plan**
 - **Heavy emphasis on communications**
 - **Must:**
 - **Include contact information for staff, physicians, service providers, volunteers, and emergency preparedness officials**
 - **Define primary and alternate means for communications**
 - **Include method for sharing information about medical documentation for patients**

Key Takeaways

- **Policies and procedures**
 - **Based on risk assessment, emergency plan and communication plan**
 - **At minimum need to address:**
 - **Subsistence needs for staff and patients**
 - **Tracking the location of on-duty staff and sheltered patients and use of volunteers**
 - **Safe evacuation as well as sheltering in place**
 - **System of medical documentation**
 - **Arrangements with others to receive patients and the role of the hospital under an 1135**

Key Takeaways

- **Testing of emergency plan**
 - **Two exercises annually**
 - **1 community-based full scale**
 - **If not available facility-based**
 - **1 tabletop (TJC not approved)**
 - **Monitor (analyze), Document, Update**
 - **Make update to EPP as needed**

Key Takeaways

- **Differences between Hospital/CAHs**
 - **No Transplant Center for CAHs**
 - **Additional Training Requirements for CAHs**
 - **Prompt reporting and extinguishing of fires**
 - **Protection/evacuation of:**
 - **Patients, personnel and guests**
 - **Fire prevention**
 - **Cooperation with firefighting and disaster authorities**

Questions?

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