



KHA's Current Report
February 3, 2023

President's Perspective – Kansas Health Care Providers Honored



This past week, I had the opportunity to attend the Native Sons and Daughters of Kansas annual banquet. For those who are not familiar with this organization, the Native Sons and Daughters of Kansas have honored individuals who have contributed to Kansas, the nation and the world since the early 20th century. One of the organization's early projects was championing a bill before the state legislature providing for an appropriation to improve John Brown Park in Osawatomie. The organization

has since been involved in a number of projects including designing a state service flag in honor of Kansas natives who served in World War I, and erecting a monument honoring pioneer women.

Each year, on the eve of Kansas Day, the Native Sons and Daughters of Kansas host an annual banquet to announce the Kansan of the Year. This award is presented to distinguished Kansans for their dedication and service. Previous recipients of the Kansan of the Year include Bob Dole, Pat Roberts, Stan Herd, Fred Bramlage and Lynette Woodard. For the first time ever, the Native Sons and Daughters of Kansas decided not to recognize an individual, but the entire Kansas health care industry. An excerpt from the announcement stated ...

"There is no way we can ever adequately thank our brave health care workers for their countless hours and sacrifice since the early spring of 2020. We take this moment to mark their work on behalf of a grateful state, and to recognize administrators, hospitals, clinics, physicians, physician assistants, pharmacists, nurses, technicians and many others in the health care industry who served on the front lines of the pandemic."

As part of the recognition, the Native Sons and Daughters of Kansas created a [video presentation](#) highlighting many health care professionals, including Larry Van Der Wege, administrator, Lindsborg Community Hospital, and Cindy Samuelson, KHA senior vice president, member and public relations. I encourage you to view and share the [video presentation](#) with your team members. Besides the video presentation, KHA also was presented with a Governor's Proclamation announcing the members of the Kansas Hospital Association as the recipient of the "2022 Kansan of the Year." KHA Board Chair Carrie Saia, CEO, Holton Community Hospital, accepted the Governor's Proclamation on behalf of Kansas hospitals.

The recognition by the Native Sons and Daughters of Kansas is much appreciated ... especially in today's tumultuous environment. The opportunity to have Kansas hospitals recognized for their dedication, compassionate service and outstanding care is heartening. Let us at KHA be one of the first to congratulate you on being named the "2022 Kansan of the Year!" Thank you for all you do for your community and the state of Kansas.

--Chad Austin

Noon Briefing: Webinar: Employee Retention Credit – Feb. 21

Join the Kansas Hospital Association and FORVIS on Tuesday, Feb. 21, for a Noon Briefing, when Troy Taylor, CPA, managing director/federal tax specialty with FORVIS, will share insight on the Employee Retention Credit and what it means for health care providers. This complimentary webinar will examine the extension and expansion of the ERC, compare its differences between 2020 and 2021, as well as review the criteria required to qualify for the credit.



Phone: (785) 233-7436

--Hayley Finch Genschorck

Hotel Cut-Off Date Is Fast Approaching for the Critical Issues Summit for Hospital Boards

The Critical Issues Summit on March 2-3, 2023, in Wichita, brings together hospital leadership and trustees from across the state and promotes the importance of good governance practices. This event provides top-notch speakers, educational sessions and discussions on critical topics facing hospitals today.

Location and Hotel Accommodations

This summit will be at the Hyatt Regency Wichita, 400 W. Waterman St., Wichita, KS 67202. A block of rooms has been reserved for the nights of March 1 and 2 at the rate of \$131, plus tax. The room block is available until Wednesday, Feb. 8. After that, reservations will be taken on a space-available basis. To receive the special rate, ask for the Kansas Hospital Association room block.



CLICK HERE
TO REGISTER



CONTACT US

Phone: (316) 293-1234

Phone: (785) 233-7436

--Hayley Finch Genschorck

SECURE 2.0 Act Enacted into Law: What It Means for Plan Sponsors and Employees – Feb. 24

The Securing a Strong Retirement Act (SECURE 2.0 Act of 2022), an important piece of retirement legislation, was signed into law on Dec. 29, 2022. This legislation includes 95 different provisions intended to make retirement plans more widely accessible; reinforce the importance of saving; and offer many American workers the opportunity for greater financial security in retirement. Please join us at noon on Friday, Feb. 24, to learn how these provisions of the new law may impact your retirement plans.



CLICK HERE
TO REGISTER

CONTACT US

-- Hayley Finch-Genschorck

KanCare Expansion Will Benefit Behavioral Health

Last week, the Kansas Health Institute published a [report](#) confirming the benefits of KanCare expansion on the behavioral health system and how expanding coverage could provide other benefits for Kansas families and communities.

This report was prepared for the Alliance for a Healthy Kansas through a contract with the Community Care Network of Kansas. The study confirms the direct financial impact expansion would have on the behavioral health system, as well as indirect benefits, including:

- A reduction in the number of children entering the Kansas foster care system each year
- Fewer arrests and re-arrests in the criminal justice system
- An increase in the number of mental health care providers serving Medicaid patients

KHI highlights the following key findings:

- Of the 108,800 adults expected to newly enroll in Medicaid if expanded, an estimated 24,154 are likely to use behavioral health services once enrolled
- Medicaid expansion is estimated to increase annual revenues for behavioral health providers from Medicaid claims by \$87.1 million, a net revenue increase of \$62.6 million
- Federally-qualified health centers in expansion states had average increases of 1,500 visits overall and 1,000 mental health visits per year as compared to non-expansion states

- Medicaid expansion has been associated with fewer arrests and reduced rates of rearrest. A reduction in arrests may lead to reduced spending at county jails in Kansas and reduced incarceration in the criminal justice system
- Medicaid expansion states experienced a 32.0 percent reduction in foster care admissions related to neglect as compared to non-expansion states. Applying the reduced rate experienced in expansion states to 2022 Kansas foster care data equates to an estimated 305 fewer children entering the foster care system in Kansas because of neglect.

The Kansas Hospital Association is one of more than 125 members of the Alliance for a Healthy Kansas coalition. Individuals in support of KanCare expansion can [sign the petition](#) and [reach out to legislators](#) to let them know how important expansion is to them.

--Cindy Samuelson

Medicare Promoting Interoperability Attestation Deadline – Feb. 28

The deadline to submit your calendar year 2022 Electronic Health Record data for the [Centers for Medicare & Medicaid Services Medicare Promoting Interoperability Program](#) for all hospitals is Feb. 28, 2023.

Participating eligible hospitals and Critical Access Hospitals are required to attest through the [CMS Hospital Quality Reporting System](#). Participants may contact the CCSQ Help Desk (previously the QualityNet Help Desk) for assistance at qnetsupport@cms.hhr.gov or (866) 288-8912.

Additional information on the 2022 Medicare Promoting Interoperability Program requirements is available in the 2022 section of the [Resource Library](#).

--Sally Othmer

2023 Infection Prevention Conference – Feb. 16

This conference will help prepare health care professionals to be facilitators and provide resources for surveillance, prevention and control of infections. Attendees will discover proven strategies for implementing infection prevention programs. Time will be allotted during the conference for attendees to network and discuss issues with other infection prevention professionals. All participants will receive infection prevention reference materials.

This conference will be at the Drury Plaza Hotel Broadview in Wichita.



or contact (785) 2337436.

--Hayley Finch-Genschorck

Kansas Community Suicide Prevention Grant

The Kansas Department for Aging and Disability Services, Behavioral Health Services Commission, announced the release of a request for applications for engagement in community-based suicide prevention services and activities. These services and activities utilize evidence-based strategies to reduce suicidal ideation, attempts and deaths. They also address shared risk and protective factors, and produce sustainable systems change for vulnerable populations in Kansas.

The purpose of this Kansas Community Suicide Prevention Grant is intended to address the ongoing crisis of suicide in Kansas through community-driven suicide prevention programs. This program aims to reduce and prevent suicidal behaviors through the implementation and sustainability of effective, culturally competent suicide prevention strategies and activities.

The grant is intended to serve individuals across their lifespan. Applications are due by 5:00 p.m. on Feb. 13, 2023, and must be submitted to Alex.Zelkovitz@KS.gov. For more information, visit [Funding Opportunities \(ks.gov\)](https://ks.gov/funding-opportunities).

--Karen Braman

Evusheld Emergency Use Authorization Withdrawn

On Jan. 26, the Food and Drug Administration [announced](#) the agency has withdrawn the emergency use authorization for tixagevimab-cilgavimab (Evusheld) because it is not expected to be effective against the currently dominant XBB.1.5 Omicron subvariant. As a result, Evusheld is not authorized for use in the U.S. until further notice by the FDA. FDA told AstraZeneca it would make a determination about reinstating authorization of Evusheld if the prevalence of resistant variants in the United States is 90 percent or less on a sustained basis. For a list of currently recommended COVID treatment guidelines by the National Institutes of Health, see the [NIH COVID-19 Treatment Guidelines](#).

--Karen Braman

Federal and National News

SAMHSA Announces Funding Opportunity

The Substance Abuse and Mental Health Services Administration announced a [funding opportunity](#) for the Emergency Department Alternative to Opioids Program. The program will develop and implement alternatives to opioids for pain management in hospitals and ED settings, as well as reduce the likelihood of future opioid misuse. Fourteen recipients will receive as much as \$500,000 per year for three years. Applications are due Monday, March 6.

CMS Finalizes Rule Regarding MA Risk Adjustment Data Validation Program

The Centers for Medicare & Medicaid Services [finalized](#) a [rule](#) to recover improper risk adjustment payments made to Medicare Advantage plans. The MA Risk Adjustment Data Validation program is the primary audit and oversight tool of MA program payments, which allows CMS to identify improper risk adjustment payments made to MA organizations when medical diagnoses submitted for payment were not supported in the beneficiary's medical record. CMS [estimates](#) that the recovery amount will total \$4.516 billion from 2025 to 2032.

White House Shares Intent to End the COVID-19 National Emergency and PHE

The U.S. House of Representatives introduced a bill and resolution to end the COVID-19 public health emergency upon enactment. Through a party-line vote, the House voted in favor of the legislation. Due to the actions of the House, the White House administration issued a [Statement of Administration Policy](#) opposing the House bill and resolution. The SAP also included an intent to end both the COVID-19 national emergency and the public health emergency on Thursday, May 11, allowing sufficient time for providers to plan for the termination of waivers and emergency use authorizations. The Food and Drug Administration created [FAQs](#) with additional details.

U.S. Court of Appeals Issues 340B Contract Pharmacy Usage Ruling

The U.S. Court of Appeals for the Third Circuit issued a [decision](#) about the use of contract pharmacies by a 340B provider. The U.S. Department of Health and Human Services removed the one-contract pharmacy restrictions in 2010, which increased the number of allowable contract pharmacies. HHS issued an advisory opinion declaring that Section 340B requires drug manufacturers to deliver drugs to an unlimited number of contract pharmacies and issued violation letters to drug companies that refused to comply. The court now ruled that drug companies do not have to supply discounted medications to an unlimited number of contract pharmacies, and HHS incorrectly interpreted the law and the violation letters are void.

CMS Selects Targeted Hospitals for FY 2025 Validation

The Centers for Medicare & Medicaid Services selected the targeted sample of hospitals for data validation of measures within the Hospital Inpatient Quality Reporting Program for the fiscal year 2025 payment determination and the Hospital-Acquired Condition Reduction Program for the FY 2025 program year. The quarters included in the data validation efforts for FY 2025 are first quarter 2022, second quarter 2022, third quarter 2022 and fourth quarter 2022. Additional information is [available](#).

Selected hospitals will receive a direct email from the CMS Value, Incentives and Quality Reporting Validation Support Contractor. The updated list of hospitals selected for FY 2025 validation, as well as validation resources, can be found on [QualityNet](#).

CMS Establishes Marketplace "Unwinding" Special Enrollment Period

The Centers for Medicare & Medicaid Services created a [Marketplace Special Enrollment Period](#) for individuals who lose Medicaid coverage due to the end of the continuous enrollment condition, also known as "unwinding." This so-called "unwinding SEP" allows individuals losing Medicaid eligibility between April 1, 2023, and July 31, 2024, to enroll in a Marketplace plan during that timeframe. "Unwinding" refers to the states' requirement to reverify the eligibility of all Medicaid enrollees within 12 months when COVID-19 continuous coverage provisions end on Friday, March 31.

Agencies Propose Rule on Coverage of Certain Preventive Services

The U.S. Department of Health and Human Services, the Department of Labor and the Department of Treasury [released](#) a proposed [rule](#) regarding coverage of certain preventive services under the Affordable Care Act that would require non-grandfathered group health plans to cover certain contraceptive services without cost sharing. The proposed [rule](#) would leave in place the existing religious exemption for entities with objections. HHS Secretary Xavier Becerra stated, "Today's proposed rule works to ensure that the tens of millions of women across the country who have and will benefit from the ACA will be protected. It says to women across the country, 'We have your back.'" Comments about the proposed rule will be due 60 days after release in the *Federal Register*.

FDA Committee Votes to Change All COVID-19 Vaccines to Include Bivalent Strains

The Food and Drug Administration Vaccines and Related Biological Products Advisory Committee met recently to discuss the future of COVID-19 vaccinations. The committee unanimously voted to update all vaccines used for mRNA vaccination to the bivalent strain that currently is used in mRNA booster shots, changing the primary series from vaccines containing only the original strain. The committee was supportive of the FDA's plan to convene the group annually to determine if new strains should be used for the COVID-19 vaccine ahead of a fall vaccination schedule. The FDA and the Centers for Disease Control and Prevention must sign off on this change before it goes into effect.

Emergency Suicide Care and Treatment Available for Veterans

Veterans in suicidal crises now can go to any health care facility, at Veterans Affairs or in the community, for free [emergency health care](#), which includes transportation costs, inpatient or crisis residential care for as many as 30 days, and outpatient follow-up care for 90 days, including social work. The VA will provide or pay for the treatment of eligible individuals.

CMS Releases April 2023 Data for Preview

The preview period is open for hospitals participating in the Inpatient Psychiatric Facility Quality Reporting Program, Hospital Inpatient Quality Reporting Program, Hospital Outpatient Quality Reporting Program and Prospective Payment System-Exempt Cancer Hospital Quality Reporting Program to review data that will be publicly reported in April 2023. Additional information is [available](#).

MLN Connects Provider eNews Available

The Centers for Medicare & Medicaid Services issued the following [updates](#) to *MLN Connects Provider eNews*:

- [Aligning Quality Measures across CMS – The Universal Foundation](#)
- [Medicare Ground Ambulance Data Collection System: Portal to Report Is Open](#)
- [Skilled Nursing Facilities: Care Compare January Refresh](#)
- [Expanded Home Health Value-Based Purchasing Model: January Newsletter & Performance Reports](#)
- [Therapy Services: Per-Beneficiary CY 2023 Threshold Amounts](#)

Before You Go ...

A [Kaiser Family Foundation study](#) highlights the prevalence of Medicaid "churn," as well as the difficulty individuals losing Medicaid eligibility have in transitioning to other coverage for which they may qualify. The study found that nearly two-thirds of individuals who lost Medicaid eligibility were uninsured for at least a period of time during the next 12 months, and nearly half of those were reenrolled in Medicaid within the year.