



Are You at Risk?
Resolve Compliance
Issues *Before*
Regulators Arrive

Qlarant 

Best People. Best Solutions. Best Results.®

Are You at Risk?

Resolve Compliance Issues

Before Regulators Arrive

Federal and state agencies are strategically examining how well Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs/IID) comply with regulations intended to ensure quality. Regulators are raising the bar on services provided to individuals who live in public and private ICFs/IID. New regulations focus on the need for improved person centered practices in all activities and treatment, altering the regulatory landscape for ICFs/IID.

Qlarant has the experience, expertise, and resources to identify vulnerabilities and work with ICFs/IID to mitigate potential risks and develop long-lasting solutions aligning facility practices with the requirements of government regulations.

Background

In 2017 the Centers for Medicare & Medicaid Services (CMS) published new regulations governing ICFs/IID operations. A key change is a requirement infusing person centered planning practices throughout ICFs/IID operations.

Person centered practices require a process of learning *how* a resident wants to live and developing strategies to help the person move toward that life. This is a major change from past approaches by:

- Encouraging staff to recognize residents have gifts, which go beyond their routine needs
- Changing how staff perceives residents' behavior
- Promoting the transfer of control from facility staff to the people being supported
- Training staff to ask people what they want in their lives and to actively listen with intent

Person centered planning practices are defined as
"... [A focus] on the resident as the locus of control... supporting the resident in making their own choices and having control over their daily lives."¹

¹ CMS (2016). Medicare and Medicaid Programs; Reform of Requirements for Long-Term Care Facilities. (§483.5) Final rule. Federal register, 81(192), 68688.

ICFs/IID must comply with eight federal Conditions of Participation (CoP)² detailing specific types of quality person centered active treatment. The conditions include:

- Governing Body
- Client Protections
- Facility Staffing
- Active Treatment
- Client Behavior and Facility Practices
- Health Care Services
- Physical Environment
- Dietetics

Conditions of Participation focus on active treatment, behavioral supports, and medical services in a safe environment by qualified, trained staff knowledgeable of person centered practices and facility policies and protocols.

What Regulators Expect to See

The new regulations have brought about a more rigorous federal review protocol, one finding many ICFs/IID out of compliance. CMS uses a variety of methods to receive performance feedback including state licensing surveys; complaints received regarding a facility; and media reports of abuse, neglect, and exploitation. Any negative findings can trigger one or more of the following:

- A CMS survey of the facility
- A Systems Improvement Agreement (SIA) requiring the state to undertake certain activities to continue to receive Federal funding
- The need to contract with an independent third-party to conduct a Root Cause Analysis (RCA) of the facility's entire operations including its plant, staff, administration, and client well-being
- Development of an Action Plan for CMS approval and required implementation and monitoring of the Action Plan to validate progress made toward accomplishing its goals

Qlarant's expertise in root cause analysis and development of focused recommendations to ensure a successful CMS survey can help states mitigate the risk for potential citations of immediate jeopardy (life threatening negative finding) and other negative findings. Waiting until a CMS survey to identify potential deficiencies puts the facility's reputation at risk and can seriously damage staff and resident morale, in addition to potentially impacting the facility's federal funding. Forward thinking states take a proactive approach to infuse person centered practices in the delivery of quality services before a formal evaluation occurs.

² Detailed in Appendix J of the federal regulations for State Operations Manual for Intermediate Care Facilities for Individuals with Intellectual Disabilities



Our approach provides guidance to ensure ICFs/IID successfully operate within the regulatory requirements of the CoPs, maintain ongoing federal funding, and make the shift to **person centered practices**. As a trusted advisor to states on quality improvement, we bring rigor and discipline to required program changes. We drive value by helping resolve concerns, and diminish the risk of future sanctions.

Why Work with Qlarant?

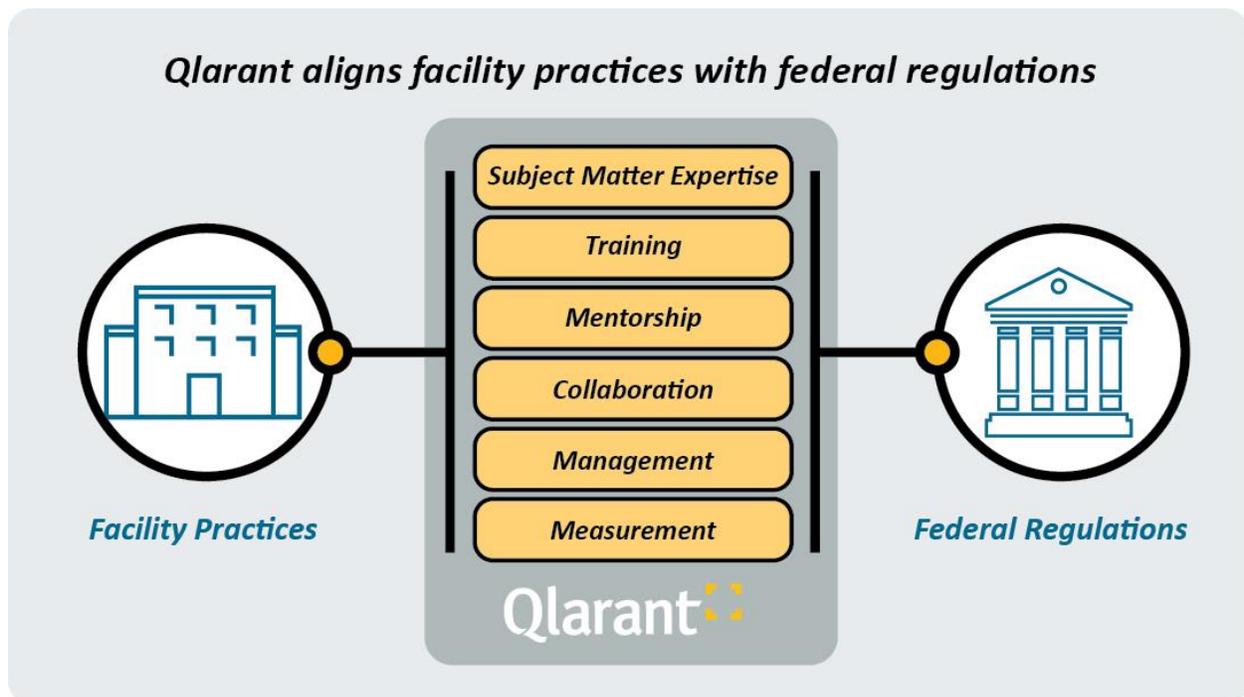
Qlarant is the go-to solution for public and private organizations nationwide, helping them identify and resolve issues to mitigate potential risk before a crisis emerges. One occurrence could negatively impact an organization's reputation, costing public tax dollars. Our role is to identify issues before they become significant challenges. Before ICFs/IID are cited for quality violations resulting in sanctions by CMS, Qlarant can provide confidence by evaluating your programs, developing plans for improvement and providing technical assistance to ensure your programs meet the Conditions of Participation for Governing Body; Facility Staffing; Client Protections; Active Treatment; Client Behavior and Facility Practices; Healthcare Services; Physical Environment; and Dietetic Services.

As an independent review organization, Qlarant brings together a team of subject matter experts knowledgeable and experienced in ICFs/IID environments and governing regulations. Combined with our expertise in person centered practices (PCP), including our certified PC trainers, we are able to influence service delivery systems and culture in ICFs/IID. Our team includes experts in root cause analysis who can develop recommendations to ameliorate identified issues in facility management and governing body, staffing, behavioral supports, active treatment and PCP, nursing and health services, infection control, physical and nutritional management, and client protections.

Qlarant staff includes experts in conducting RCAs, assisting in developing plans of correction and monitoring progress towards systems improvement. Our approach aligns with CMS expectations, and we have a history of working effectively with federal regulators, state agencies, and other stakeholders.

Finally, we provide customized technical assistance tailored to each state's specific circumstances. Qlarant offers professional expertise geared to align facility practices with federal regulations. This expertise includes:

- Nationally certified trainers in Person Centered Thinking training with extensive experience in ICF/IDD environments, and who work with direct support staff on individual plan development, data collection, and Active Treatment
- Competency-based training focusing on person centered practices
- Mentoring to assist leadership in enhancing the functionality of the Governing Body
- Collaboration with behavioral health teams to align behavior plans with positive supports, reduce restrictions, and boost individual rights and protections
- Quality management expertise to design measurement systems to ensure sustainability of quality improvement efforts through data collection and analysis



Qlarant assists states to ensure program accountability while advancing best practices to improve program effectiveness. We offer:

- Strong analytical capabilities
- Comprehensive tools used to measure the degree of CoP compliance and gather quality data regarding person centered practices
- Experience managing complex monitoring and evaluation projects to provide you with a full set of analytic competencies

Using these, we are able to:

- Identify critical issues threatening a facility's operations
- Provide data enabling states and facilities to take corrective actions
- Achieve compliance with federal and state regulations
- Ensure positive outcomes for people served by ICFs/IID

Contracting with an external review organization to critically look at programs allows states to resolve issues *before* CMS triggers an investigation.

Qlarant helps state agencies take a proactive approach to quality assurance and improvement.

About Qlarant

Qlarant is a national quality improvement consulting organization providing a full spectrum of eligibility and quality improvement services which drive cost savings and enhance healthcare quality. With 45 years of experience and more than 500 professionals, we focus on helping government organizations mitigate risk, identify and solve problems, and seize opportunities for better outcomes.

We provide a range of services including external review, auditing, monitoring, and consulting. Our team is unmatched in its experience conducting external peer and quality review and mitigating risk. Qlarant contracts have led to direct improvements in the quality of supports and outcomes for thousands of individuals with disabilities, and improved the integrity of ICFs/IID programs.

In addition to subject matter experts in intellectual and developmental disabilities grounded in person centered practices, the Qlarant team includes data scientists, health IT experts, bio-statisticians, epidemiologists, and others with an extensive array of medical expertise supporting quality improvement efforts across the spectrum of Medicaid and Medicare funded programs.

For more information and to discuss your needs, contact Bob Foley at 813-972-8100.



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QSR 1005 for the ISO 9001:2015
Quality Management System Standards