

June 21, 2012

**METHODS, STANDARDS AND PRINCIPLES FOR
ESTABLISHING MEDICAID PAYMENT RATES
FOR LONG-TERM CARE FACILITIES**

**Explanation of Changes and
Description of Reasons for Decisions Regarding
Final Proposed Rule No. 12P023
Pursuant to 3 V.S.A. § 841
June 21, 2012**

This proposed rule changes one of the six criteria for eligibility for a Quality Incentive Award under Section 9.5 of the nursing home rate setting rules. The Department of Disabilities, Aging and Independent Living (DAIL), in conjunction with the Vermont Health Care Association, has replaced the Designated Gold Star Provider program with a national and more comprehensive voluntary quality program known as Advancing Excellence in America's Nursing Homes. The mission of Advancing Excellence is to make nursing facilities places where people want to "live, work and visit".

The Gold Star Provider program was launched in 2004 by the Vermont Health Care Association and DAIL as a culture change initiative to improve staff retention in nursing facilities. To achieve Gold Star Employer status, nursing facilities conducted self-assessment of their use of best practices and they developed goals each year. The best practice areas included staff recruitment; orientation and training; staffing levels and work hours; professional development and advancement; supervisory training and practices; team approaches; and staff recognition and support.

The Advancing Excellence campaign is also targeted at culture change in nursing facilities, but is more comprehensive than Vermont's Gold Star program was. There are currently eight Advancing Excellence goals from which facilities may choose to focus their efforts: staff turnover; consistent staff assignment; staff satisfaction; restraints; pressure ulcers; pain; advanced care planning; and resident and family satisfaction. Participating facilities must commit to working towards at least three goals, including one clinical goal, one organizational goal and one goal of choice. Facilities can work on more than three goals if they choose or facilities can work towards all eight goals. Facilities enter data into the Advancing Excellence website to monitor progress. Because this is a national program, benchmarking across the state as well as the country is possible.

Highlights of Amendments and Response to Comments by Subsection

Unless otherwise noted, no comments were made on the proposed changes.

- **§ 9.5(e)(3)** – Replaces the Designated Gold Star Provider criteria with participation in the Advancing Excellence in America's Nursing Homes Campaign.

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The Vermont Health Care Association (VHCA) commented on the proposed rule change on behalf of the VHCA's 38 member nursing facilities. The VHCA expressed support for the proposed rule change and expressed support for the replacement of the Designated Gold Star provider program with the Advancing Excellence campaign. The VHCA noted in its comment that, "(t)he Advancing Excellence Campaign is designed in a way that aligns multiple quality initiatives at the national level, allowing facilities to focus scarce resources on the Campaign with peace of mind in knowing that those efforts will help them achieve quality improvement goals that span many different programs." VHCA also noted that Vermont set a goal of recruiting 28 facilities to participate in the Campaign by 2012 and that Vermont has exceeded that goal as 32 nursing facilities are currently participating. The comment from the VHCA was the only comment received on the proposed rule change.

As the only comment received was in support of the proposed rule, the substantive text of the final proposed rule is identical to that of the proposed rule.