



Office of the
Medicaid Inspector
General

ANDREW M. CUOMO
Governor

DENNIS ROSEN
Medicaid Inspector General

August 15, 2016

[REDACTED]
The Pines at Catskill Center for Nursing and Rehabilitation
154 Jefferson Heights
Catskill, New York 12414

Re: MDS Final Audit Report
Audit #: 13-2381
Provider ID#: [REDACTED]

Dear [REDACTED]

This is the final audit report of findings with regard to the Office of the Medicaid Inspector General's (OMIG) Minimum Data Set (MDS) audit of The Pines at Catskill Center for Nursing and Rehabilitation for the census period ending July 25, 2012. In accordance with 18 NYCRR §517.6, this final audit report represents the OMIG's final determination on issues found during OMIG's review.

Since you did not respond to our draft audit report dated May 5, 2016, the findings in the final audit report remain identical to the draft audit report.

The Medicaid overpayment of \$31,222.69 was calculated using the number of Medicaid days paid for the rate period January 1, 2013 through June 30, 2013 and the change in the direct component of your Medicaid rate as calculated by the Department of Health's Bureau of Long Term Care Reimbursement (BLTCR). The calculation of this overpayment is detailed in Attachment A. BLTCR will adjust your Medicaid rates for the relevant rate period to reflect the change in the direct component. The findings explanation, regulatory references, and applicable adjustment can be found in the attachments following Attachment A.

The Provider has the right to challenge this action and determination by requesting an administrative hearing within 60 days of the date of this notice. In accordance with 18 NYCRR 519.18(a), "The issues and documentation considered at the hearing are limited to issues directly relating to the final determination. An appellant may not raise issues regarding the methodology used to determine any rate of payment or fee, nor raise any new matter not considered by the department upon submission of objections to a draft audit or notice of proposed agency action."

If the Provider wishes to request a hearing, the request must be submitted in writing to:

General Counsel
New York State
Office of the Medicaid Inspector General
Office of Counsel
800 North Pearl Street
Albany, New York 12204

Questions regarding the request for a hearing should be directed to Office of Counsel, at [REDACTED]

If a hearing is held, the Provider may have a person represent it or the Provider may represent itself. If the Provider chooses to be represented by someone other than an attorney, the Provider must supply along with its hearing request a signed authorization permitting that person to represent the Provider at the hearing; the Provider may call witnesses and present documentary evidence on its behalf.

For a full listing of hearing rights please see 18 NYCRR Part 519.

Should you have any questions regarding the above, please contact [REDACTED]
[REDACTED]

[REDACTED]

Division of Medicaid Audit
Office of the Medicaid Inspector General

[REDACTED]

OFFICE OF THE MEDICAID INSPECTOR GENERAL
THE PINES AT CATSKILL CENTER FOR NURSING AND REHABILITATION
AUDIT 13-2381
CALCULATION OF AUDIT IMPACT

RATE TYPE	DECREASED IN DIRECT COMPONENT OF RATE*	MEDICAID DAY	IMPACT
Part B Eligible/Part B D Eligible	\$2.17	13,997	\$30,373.49
Non-Medicare/Part D Eligible	\$2.20	386	\$849.20
Total			<u>\$31,222.69</u>

*Rounded to nearest 1/100th New York State Department of Health Bureau of Managed Long Term
Care Rate Setting / FFS

OFFICE OF THE MEDICAID INSPECTOR GENERAL
 THE PINES AT CATSKILL CENTER FOR NURSING AND REHABILITATION
 AUDIT #13-2381
 FINDINGS BY SAMPLE NUMBER

Sample #		Reported RUG	Derived RUG	Reported RUG Weight	Derived RUG Weight	DISALLOW BED MOBILITY SELF PERFORMANCE	DISALLOW TRANSFER SELF PERFORMANCE	DISALLOW TOILET USE SELF PERFORMANCE	DISALLOW ACTIVE DISEASE DIAGNOSIS	DISALLOW SPECIAL TREATMENTS, PROCEDURES	DISALLOW OCCUPATION THERAPY	DISALLOW PHYSICAL THERAPY
1		RHC	RHC	1.40	1.40							
2		RUC	RUC	1.82	1.82							
3		SSC	SSC	1.12	1.12							
4		RMC	RMC	1.27	1.27	1	1					
5		CC1	CC1	0.98	0.98							
6		RMC	RMC	1.27	1.27							
7		RMA	CA1	1.17	0.77							1
8		SSB	SSB	1.06	1.06							
9		CC1	PE1	0.98	0.79				1			
10		SSC	SSC	1.12	1.12							
11		CC1	CC1	0.98	0.98	1	1	1				
12		CC1	CC1	0.98	0.98							
13		SSC	SSC	1.12	1.12							
14		SSA	SSA	1.03	1.03							
15		SSB	SSB	1.06	1.06	1						
16		RMC	RMC	1.27	1.27							
17		SSC	SSC	1.12	1.12	1						
18		RMC	RMC	1.27	1.27							
19		RMA	PA1	1.17	0.46					1		
20		PE1	PE1	0.79	0.79							

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21		SSB	SSB	1.06	1.06							
22		CC2	CC2	1.12	1.12	1	1	1		1		
23		CC1	PE1	0.98	0.79					1		
24		RMC	RMC	1.27	1.27	1	1					
25		RMB	RMB	1.22	1.22							
26		RMC	CB1	1.27	0.86						1	
27		CC1	CC1	0.98	0.98							
28		SSC	SSC	1.12	1.12							
29		SE3	SE3	1.70	1.70							
30		SSC	CC1	1.12	0.98	1			1			
31		CC1	CC1	0.98	0.98			1		1		
32		SE2	SE2	1.37	1.37							
TOTALS						7	4	3	1	4	1	2

**OFFICE OF THE MEDICAID INSPECTOR GENERAL
THE PINES AT CATSKILL CENTER FOR NURSING AND REHABILITATION
AUDIT #13-2381
MDS DETAILED FINDINGS**

MDS FINDINGS**SAMPLE SELECTION****Functional Status-ADL Self-Performance and Support**

If the provider is unable to produce the supporting documentation for the patient, the service will be disallowed and the Case Mix will be adjusted. A repayment schedule will be developed.

Documentation must indicate an assessment was done to evaluate the need for assistance with activities of daily living (ADL's), altered gait and balance, and decreased range of motion (ROM). MDS 3.0 manual guidelines will be followed when examining the medical records.

*42 CFR §483.20 (b) (xvii)
MDS Manual 3.0 G0100-0900*

Bed Mobility Self-Performance

In 7 instances, documentation did not support resident required total assist every time. 4, 11, 15, 17, 22, 24, 30

Transfer Self-Performance

In 4 instances, documentation did not support resident required total assist every time. 4, 11, 22, 24

Toilet Use Self-Performance

In 3 instances, documentation did not support resident required total assist every time. 11, 22, 31

Active Disease Diagnosis

If the provider is unable to produce the supporting documentation for the patient, the service will be disallowed and the Case Mix will be adjusted. A repayment schedule will be developed.

Documentation must indicate the diseases coded relate to the resident's functional, cognitive, mood or behavior status, medical treatments, nursing monitoring, or risk of death. MDS 3.0 manual guidelines will be followed when examining the medical records.

42 CFR §483.20 (b) (xvii)
MDS Manual 3.0 I0100-18000

In 1 instance, documentation did not support pneumonia as an active physician documented diagnosis during the 7 day look back. 30

Special Treatments, Procedures, and Programs

If the provider is unable to produce the supporting documentation for the patient, the service will be disallowed and the Case Mix will be adjusted. A repayment schedule will be developed.

The intent of the items in this section is to identify any special treatments, procedures, and programs that the resident received during the specific time periods. MDS 3.0 manual guidelines will be followed when examining the medical records.

42 CFR §483.20 (b) (xv)
MDS 3.0 Manual O0100-0300, O0600-0700

In 2 instances, documentation did not support the number of days with MD exams during the look back period. 9, 22

In 3 instances, documentation did not support the number of days with MD orders during the look back period. 9, 23, 31

Skilled Therapy

If the provider is unable to produce the supporting documentation for the patient, the service will be disallowed and the Case Mix will be adjusted. A repayment schedule will be developed.

The qualified therapist, in conjunction with the physician and nursing staff, is responsible for determining the necessity for and the frequency and duration of the therapy provided to residents. Rehabilitation (i.e., via Speech-Language Services, and Occupational and Physical Therapies) and respiratory, psychological, and recreational therapy helps the residents to attain or maintain their highest level of well-being and improve their quality of life. MDS 3.0 manual guidelines will be followed when reviewing the documentation provided by the facility.

42 CFR §483.20 (b) (xvii)
MDS 3.0 Manual O0400-0500

Occupational Therapy

In 1 instance, documentation did not support medical necessity for therapy and/or therapy was not reasonable for resident condition. 19

Physical Therapy

In 2 instances, documentation did not support medical necessity for therapy and/or therapy was not reasonable for resident condition. 7, 26

RUGS-II Classifications Overturned

In 6 instances, the RUG classifications were overturned. 7, 9, 19, 23, 26, 30

10 NYCRR §86-2.10, Volume A-2