



IHO Update

Bi-weekly News for Hospice Professionals in Iowa

September 23, 2005

CMS Home Health, Hospice and DME Open Door Forum

The next hospice open door forum with CMS will be September 15, from 1-2 p.m. To participate by phone dial 800/837-1935 and enter the conference ID# 2865479. This will be a conference call only meeting.

Artificial Nutrition and Hydration Subcommittee Meeting Held in Des Moines

This week, the legislative subcommittee for House Study Bill 302, the Starvation and Dehydration of Persons with Disabilities Act, held a meeting. HSB 302 was introduced during the 2005 Iowa legislative session in response to the Terri Schiavo case. The bill creates a presumption that a patient *will* receive artificial hydration and nutrition unless there is clear and convincing evidence that the patient did not want these procedures. The chair of the subcommittee, Representative George Eichhorn (R-Stratford), did not take action on the bill last session because he wanted to work on the issue over the interim.

Several medical providers and a lawyer representing the Iowa Bar Association testified at the meeting in opposition to the bill. IHO board member Dr. Norma Hirsch's testimony stressed that HSB 302 will not prevent another Terri Schiavo case. Dr. Hirsch also explained that the disease, not the withholding of artificial nutrition and hydration, is causing the patient to die and that, in some cases, the administration of artificial nutrition and hydration can do more harm than good.

The subcommittee did not take any action on the bill and plans to hold another meeting this fall. IHO will keep members informed of any further action on the bill. Thank you to Dr. Hirsch for providing testimony to the subcommittee on behalf of IHO.

Survey Shows Compliance Efforts Still Lag

Although the Health Insurance Portability and Accountability Act (HIPAA) security rule compliance date passed in April, more than half of providers are behind in their compliance efforts, according to a survey sponsored by the Health Information and Management Systems Society (HIMSS) and Phoenix Health Systems. According to results from the survey, only 43 percent of providers are currently compliant with the security regulations, compared to 74 percent of payers.

Phoenix Health Systems and HIMSS conducted the survey of 383 providers and payers; 80 percent of the survey respondents were providers. Other results include the following:

- Seventy-eight percent of providers and 90 percent of payers reported that they are currently compliant with the privacy rule.

- Fifty-nine percent of providers and 45 percent of payers reported that their organizations had experienced one or more privacy breaches between January and June 2005.
- Nearly 40 percent of providers and 32 percent of payers indicated that their organizations had experienced data security breaches between January and June 2005.
- Eighty percent of providers and payers indicated compliance with HIPAA's transactions and code sets rule

For more information, visit www.hcmarketplace.com/prod.cfm?Id=162&S=EEDD.

Claims must comply with HIPAA by October 1

Beginning October 1, the Centers for Medicare & Medicaid Services (CMS) will not process incoming electronic Medicare claims submitted for payment that do not comply with HIPAA, CMS Administrator Mark McClellan announced in an August press statement. Prior to October 1, claims in a noncompliant electronic format will continue to be paid. After October 1, claims that do not meet standards required by HIPAA will be returned for resubmission.

Louisiana Nursing Home Owners Charged with 34 Counts of Homicide

What began last week as one of the most tragic and inexplicable stories to come out of the Hurricane Katrina disaster has since mushroomed into national news and resulted in criminal charges. Thirty-four counts of negligent homicide were brought against the owners of St. Rita's nursing home in New Orleans' St. Bernard Parish Wednesday.

The charges are for failing to evacuate the 34 residents who died in rising flood waters, according to the Associated Press (AP). National Guard officials told the AP that the owners – Salvador and Mable Mangano – failed to heed warnings of the hurricane and follow the mandatory evacuation decree. The Manganos were released on \$50,000 bail each. Up to five years in prison are possible for each of the 34 charges, AP reported.

Roberts Gets Queries on End-of-Life

During the Congressional hearings for John Roberts, nominated Supreme Court Chief Justice, questions about his position on physician assisted suicide were asked. Judge Roberts also declined to answer questions about his personal views on issues like assisted suicide. An article in the *New York Times* (www.nytimes.com/pages/politics/index.html) offers further information. The Supreme Court is scheduled to hear a challenge to the Oregon Assisted Suicide law once the Court reconvenes in October.

Newsclip – Controversial Hospice Set to Open in Mississippi

Backers of the Sanctuary Hospice House, which soon will open in Lee County, Mississippi, say the project could prompt other rural areas to build similar facilities that could keep people close to home during their final months. Linda Gholston, administrator, said Sanctuary could begin accepting terminally ill patients in October or November. "We hope this will be a prototype for many in-patient hospice houses in rural settings," she said.

Sanctuary's organizers won national designation as one of two demonstration projects for rural hospice care after much wrangling in Congress. The nonprofit was chosen for a five year demonstration project for rural hospices with a 20 bed or less facility. The demonstration is designed to test if hospice services provided to Medicare beneficiaries who lack an appropriate caregiver and who reside in rural areas result in wider access, improved hospice services, benefits to the rural community, and a sustainable pattern of care.

The demonstration project was authorized with the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA). The project focuses on Medicare beneficiaries who are unable to receive hospice care at home for lack of an appropriate caregiver. The demonstration project allows Sanctuary Hospice House to offer, within its walls, the full range of services provided by hospice programs yet will not require the agency to offer services outside of the hospice facility or to meet the 20-percent cap on inpatient care days.

New IHO Membership Directories Now Available

The newly updated IHO Directories were mailed this week. Each Director of an IHO member hospice was sent two directories; IHO Individual members were mailed one copy. IHO staff will be updating the IHO Web site to reflect any changes over the upcoming weeks.

Additional copies of the directory may be purchased for \$10. An order form was sent with the mailing or contact Julie Weissinger at 515.243.1056.

Hospice of Siouxland Helps AIDS Victims in South Africa

Hospice of Siouxland in Sioux City was recently featured in a *Sioux City Journal* article that detailed two weeks the hospice workers spent with HIV-positive patients in South Africa. The article reported that actually seeing mothers, fathers, and children dying every day from the virus – even some who first came to get help while the three were visiting – deeply affected all of their lives, said Dr. Paul Fee, Hospice of Siouxland Medical Director.

“It was an emotional rollercoaster of frustration, joy, sadness and happiness -- not just day to day, but hour to hour,” Fee said. “We want people to see the reality of AIDS in Africa. We’re all part of the same world. We should know there are people on the other side of the globe who are suffering.”

Fee, Education Coordinator Margo Nixon and Bereavement Counselor Lois Campolo spent the two weeks visiting their sister hospice, Howick Hospice, in Howick, South Africa. The town is about the size of Le Mars, Iowa, Fee said, but HIV is so prevalent in sub-Saharan Africa that nearly half of the area's population is HIV-positive. In just one day, he said, he saw eight graves being dug in a Howick cemetery for people who died of AIDS.

Howick Hospice workers spend much of their time treating more than 500 AIDS patients in the area, Nixon said, far outweighing other traditional hospice care, such as for cancer patients.

“That’s just the tip of the iceberg, though,” she said in the *Journal* article. “There are thousands more people who don’t ask for the hospice’s services.”

Nixon said Howick Hospice has to overcome many obstacles. It doesn’t receive government funds like Hospice of Siouland does, she said, so the hospice depends on funding from organizations like the U.N. Foundation’s Global Fund and private donors. The area it serves also has extreme differences between the poor and rich, Fee said, with many of the HIV-positive patients living in squatter’s camps a few miles outside of the city.

Member-Abilia

- The Hospice of Jasper County Fall Conference scheduled for September 23 has been postponed until October 28. The speaker, Elizabeth Harper Neeld, was stranded in Houston because of the Hurricane Rita. Hospice of Jasper County will be calling all registrants. Please tell coworkers who may have been planning to pay at the door that this conference has been postponed.
- The next IHO District 5 Meeting will be held December 9 in Grinnell from 10 a.m. to 2 p.m. Contact Kristin Paris at Hospice of Monroe County at 641/932.1701 or kparis@mchalbia.com for more information.
- Iowa Hospice has a new toll-free number: 866/752-4692.