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Saturday, Jan. 15, 2022

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After Supreme Court ruling, CMS issues compliance guidelines for vaccine mandate

Following the U.S. Supreme Court's Jan. 13 decision allowing the Centers for Medicare and Medicaid Services' vaccine mandate to take effect, CMS released [additional guidance](#) about the COVID-19 health care staff vaccination interim final rule. The following enforcement guidelines affect health care facilities in the Iowa.

Within 30 days after issuance of the CMS memorandum, health care facilities will be considered compliant with the rule if:

- Policies and procedures are developed and implemented for ensuring all facility staff, despite clinical responsibility or resident contact, are vaccinated for COVID-19.
- All staff have received or have a pending request for at least one dose of a

COVID-19 vaccine, have been granted a qualifying exemption or have a temporary delay as recommended by the Centers for Disease Control and Prevention.

If the facility is noncompliant, but at least 80% of staff have received at least one dose of the vaccine and the facility has a plan to achieve 100% vaccination within 60 days of the CMS memorandum, the facility will not be subject to additional enforcement action.

Within 60 days after the issuance of the CMS memorandum, health care facilities will be compliant if:

- They meet the requirements above.
- All staff have received the necessary doses to complete the vaccine series, have been granted qualifying exemptions or have temporary delays as recommended by the CDC.

If the facility is noncompliant, but at least 90% of staff have received all doses and the facility has a plan to achieve 100% staff vaccination rate within 30 days of the CMS memorandum, the facility will not be subject to additional enforcement action.

Within 90 days and thereafter following issuance of the CMS memorandum, facilities failing to maintain compliance with the 100% standard may be subject to enforcement action.

Click [HERE](#) for hospital-specific guidance.

Week one of legislative session and Condition of the State

This week marks the first week of the 2022 legislative session, and it was full of the usual ceremony, bills being introduced, and the beginning of subcommittee and committee meetings. Among the ceremonies of the first week was the Condition of the State address delivered Tuesday night by Gov. Kim Reynolds. Gov. Reynolds outlined her top priorities for the 2022 legislative session. IHA President and CEO Chris Mitchell and IHA Board of Officers and Trustees President Bob Kroese, CEO, Pella Regional Health Center, were present at the address, which highlighted two IHA priorities: medical malpractice (tort) reform and initiatives to address Iowa's health care workforce shortage.

Gov. Reynolds' tort reform proposal would create a two-tier system, with a soft cap on noneconomic damages at \$250,000 and a hard cap on noneconomic damages at \$1 million. The morning following the Condition of the State, staff from the governor's office met with stakeholders, including IHA, to discuss the language for the proposal. Legislation for this priority is expected in the next week or two.

Health care workforce is the governor's other health care priority this year. This effort entails plans to introduce proposals strengthening existing loan repayment programs for health care careers, including:

Rural Iowa Primary Care Loan Repayment Program

- Allow part-time practice (70%) in a rural area to satisfy the five-year rural practice requirement for loan repayment.
- Expand eligibility to physicians who complete residencies out of state.
- Include neurology on the list of eligible physician specialties.
- Increase funding from \$1.75 million to \$4 million.

Health Care Loan Repayment Program

- Allow eligible providers who do not have student loan debt to qualify for an annual award in lieu of loan repayment for up to five years in exchange for practicing in rural Iowa.
- Increase program funding from \$250,000 to \$1 million.
- Expand eligibility to part-time nurse educators who also practice nursing in a health care facility.

Health Professional Recruitment Program

- Include registered nurses and accredited/registered nurse practitioners in the list of professions eligible for the program.

These proposals will need to be introduced and passed by the legislature to go into effect.

Gov. Reynolds also announced the creation of the Iowa Health Careers Registered Apprenticeship Grant Program. Under this program, grants will be awarded to a minimum of five applicant communities to start a new high school registered apprenticeship program for health care careers or expand an existing program. This program began accepting applications Jan. 12. High schools can apply [HERE](#).

Finally, the governor released her proposed budget for fiscal year 2023. IHA is reviewing the proposed budget to analyze the potential impact and will report updates as they develop.

Legislation on the move

The first week of legislative session saw more than 100 bills introduced, several of interest to hospitals. Below is an overview of bills introduced and reviewed by legislators. [Click here](#) to view a complete list of legislation IHA is following.

Workforce

- **Psychiatric Residency Program** – [House Study Bill 532](#) directs the University of Iowa Hospitals and Clinics to create and administer a state-funded psychiatric residency program in cooperation with the state mental health institutes at Independence and Cherokee and the Iowa medical and classification center at Oakdale. The residency program will award and fund 12 residency positions for each class, with preference given to residents of Iowa and those who received undergraduate or medical degrees from Iowa schools. The bill appropriates funds for the program. IHA is monitoring this bill and will provide updates.
- **Mental Health Professional Loan Repayment Program** – [Senate Study Bill 3003](#) directs the Iowa College Student Aid Commission to create and administer a Mental Health Professional Loan Repayment Program. To receive loan repayments, the mental health professional must agree to either practice full-time as a mental health professional in an eligible practice area for five consecutive years or practice part-time as a mental health professional in an eligible practice area for seven consecutive years. An eligible practice area is an Iowa city considered a federal mental health shortage area, as designated by the U.S. Department of Human Services' Health Resources and Services Administration. Participants can receive \$8,000 per year, with a maximum not to exceed \$40,000. IHA is monitoring this bill and will provide updates.

Medicaid

- **Medicaid eligibility and verification** – Several bills for Medicaid eligibility and verification were introduced. [House Study Bill 502](#) requires the Department of Human Services to redesign or establish a new system for verifying eligibility for public assistance internally or through a third-party contract. [House Study Bill 503](#) requires DHS to review any suspected cases of public-assistance fraud and report to the Department of Inspections and Appeals. [House Study Bill 504](#) requires public-assistance applicants to complete a computerized identification authentication process. [House Study Bill 507](#) requires DHS to access various records for initial and ongoing eligibility determinations for public-assistance applicants. IHA is monitoring each of these bills and will provide updates.
- **Tiered psychiatric reimbursements** – [House Study Bill 530](#) requires the Department of Human Services to implement a tiered reimbursement methodology for Medicaid psychiatric inpatient care based on the patient's acuity and other factors identified by the Inpatient Bed Tracking System Study Committee, of which IHA and Iowa hospitals are members. IHA supports this legislation.

Other issues

- **Nonmedical switching** – [Senate File 2016](#) prohibits health plans from limiting coverage of a prescription drug for a covered person if the person is medically stable and was previously approved for the drug by the coverage plan and the prescriber has issued a prescription for the drug in the last six months. This bill is similar to a bill approved in a committee last legislative session, and IHA is registered in support.

Listen to IHA's Capitol Update

IHA knows the importance of updates coming from the Capitol and works to make information more accessible. Members have a convenient way to stay up to date on advocacy issues with the IHA Capitol Update that can be found in two formats: a Zoom video recording or podcast.

- Capitol Update [podcast](#).
- Capitol Update [vodcast](#).

Email questions to [Joah Hogan](#) at IHA.

Legislative forums scheduled

Meeting with legislators while they're in their home districts is a great way to advocate for issues hospital advocates care about. Check the list below of legislative events for the next two weeks. Some are in person and those that are virtual include the event link.

Saturday, Jan 15

- 7:30-9 a.m., Fairfield Legislative Forum, Fairfield Arts and Convention Center.
- 10-11:30 a.m., Ames Meet Your State Legislator Chat, Ames Public Library.
- 10-11 a.m., Storm Lake Legislative Forum, King's Pointe Waterpark Resort –

Awaysis Ballroom.

- 10 a.m.-noon, Washington Legislative Briefing, Washington County Courthouse.
- 10-11:45 a.m., Virtual Linn County Legislative Forum, [Virtual Link](#).
- 10:30 a.m.-noon, Bettendorf Legislative Forum with virtual option, Bettendorf Public Library, [Virtual Link](#).

Monday, Jan 17

- 8:30-10:30 a.m., Marti's Monday Morning Coffee with virtual option, Grounds for Celebration, Des Moines. Email [Rep. Marti Anderson](#) (D-Des Moines) for the Zoom link.

Friday, Jan 21

- 2-3:15 p.m., Iowa City Legislative Forum, Staybridge Suites.
- 4:30-6:30 p.m., Virtual Black Hawk and Bremer Counties Legislative Forum, [Virtual Link](#).

Saturday, Jan 22

- 8:30-9:30 a.m., Oskaloosa Eggs and Issues, Smokey Row Coffee.
- 9-10:30 a.m., Spencer Legislative Forum, Spencer City Hall – Council Chambers.
- 9:30-11:30 a.m., Virtual Johnson County Legislative Forum, [Virtual Link](#).
- 10-11 a.m., Waverly Legislative Town Hall, Waverly City Library.
- 10-11 a.m., Clarinda Legislative Briefing, Clarinda Lied Public Library.
- 11 a.m. -noon, Okoboji Eggs and Issues Forum, Tweetters.

Saturday, Jan 29

- 8-9:30 a.m., Rock Rapids Eggs and Issues Forum, Forster Community Center.
- 9-10 a.m., Sumner Legislative Town Hall, Sumner Public Library.
- 9-10:30 a.m., Clinton Legislative Coffee, Grow Clinton.
- 11 a.m. -noon, Readlyn Legislative Town Hall, Readlyn Community Library.
- 11 a.m.-12:30 p.m., DeWitt Legislative Coffee, DeWitt Community Center.

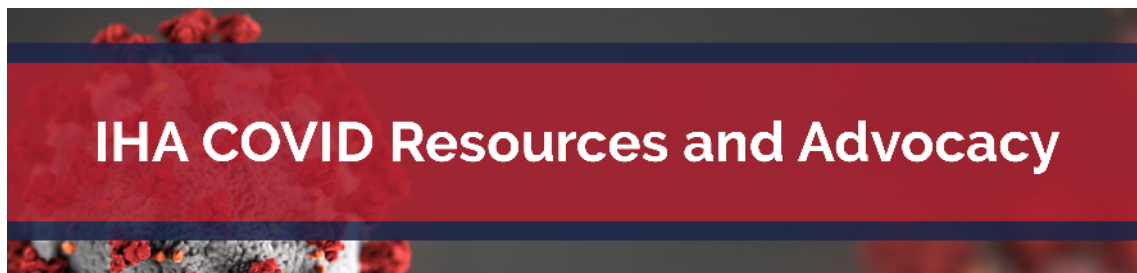
How to stay in the know

Through the 2022 legislative session, IHA has different ways to keep you informed. Stay tuned through the weekly editions of Legislative Bulletin, biweekly Capitol Update, IHA's Facebook page, Twitter account and LinkedIn account. IHA also will mobilize hospital advocates through VoterVoice Action Alerts when legislators need to hear from you on hospital issues. Advocates can sign up for email or text message VoterVoice Action Alerts [HERE](#).

Remember to bookmark these links:

- [Facebook page](#)
- [IHA's bill tracker](#)
- [Legislator contact information](#)

- [LinkedIn account](#)
- [Twitter account](#)



Public health emergency declaration renewed

Secretary of Health and Human Services Secretary Xavier Becerra renewed the determination that a public health emergency exists to ensure the continuation of 1135 waivers and Medicaid Coverage flexibilities.

The renewal is effective for 90 days starting Sunday, Jan. 16.

Click [HERE](#) to read more.

Interim clinical considerations for COVID-19 vaccines updates

The Centers for Disease Control and Prevention updated its [interim clinical considerations for COVID-19 vaccine use](#). Updates include:

- Guidance for the use of the Pfizer-BioNTech COVID-19 vaccine booster dose in people ages 12-17.
- The administration of COVID-19 booster dose at least five months after completion of an mRNA vaccine primary series.
- Guidance for the use of additional primary dose for moderately or severely immunocompromised people ages 5-11 who received a Pfizer-BioNTech vaccine primary series.
- Updated recommendations for people who received COVID-19 vaccines outside the United States not FDA-authorized or approved.

Click [HERE](#) to read more.

IDPH updates K-12 school guidance

The Iowa Department of Public Health made updates to its Fall 2021/Winter 2022 K-12 school guidance.

The guidance includes updates to:

- Mask enforcement policies.
- Quarantine guidance for students, teachers or staff with COVID-19 infections.

Click [HERE](#) to read more.

New billing code made for Veklury in outpatient settings

The Centers for Medicare and Medicaid Services created a new HCPCS code J0248 for Veklury antiviral medication. The code is effective for the dates of service on or after Dec. 23, 2021, in outpatient settings. CMS released the information in the Medical Learning Network Connects special edition on Friday, Jan. 7.

For more information, including outpatient claim requirements, click [HERE](#).

IHA joins business coalition to stop human trafficking

Iowa Secretary of State Paul Pate launched a new business coalition Wednesday to stop human trafficking in Iowa. IHA, along with 35 other businesses and nonprofit organizations joined the [Iowa Businesses Against Trafficking Coalition](#).

As a member, IHA is committed to educating members about the signs and impact of human trafficking with access to training and resources to further grow awareness of trafficking in Iowa.



IHA president and CEO Chris Mitchell attended the Iowa Businesses Against Trafficking Coalition kickoff Wednesday. Iowa Secretary of State Paul Pate, left, is leading the coalition.

NewsStand

Iowa news

- [Iowa starts 2022 with more than 20,000 new reported COVID cases](#)
- [State Hygienic Lab poised for \\$9.2 million expansion](#)
- [Network upgrades support health care growth in rural Iowa](#)

National news

- [America's COVID-19 situation could get better in 6-8 weeks.](#)
- [Mayo Clinic fires 700 employees for refusing COVID-19 vaccine](#)
- [Flu + coronavirus = flurona. What you need to know about coinfection](#)

Click [HERE](#) to read daily NewsStand postings.

Upcoming events

- [Nurse Manager Leadership Workshop](#): Wednesday, Jan. 19 - Tuesday, March 15
- [Navigating the Legal Uncertainty of COVID-19 Vaccine Mandates in the Health Care Workplace](#): Tuesday, Jan. 25
- [Abuse, Restraints and Seclusion Regulations](#): Thursday, Jan. 27
- [Grant Writing Workshop](#): Tuesday, Feb. 1
- [Critical Access Hospitals' Commonly Cited Deficiencies](#): Tuesday, Feb. 8
- [Update on Ligature Risks and Suicide Prevention](#): Thursday, Feb. 17
- [Physician Business Leadership Certification Program](#): Tuesday, Feb. 22 - Tuesday, Aug. 9
- [Advanced Leadership Academy](#): Wednesday, March 2 - Tuesday, Sept. 20
- [Understanding Hospital Board and Medical Staff Responsibilities Under Medicare COPs](#): Tuesday, April 12

Hospital jobs site connects hospitals with qualified candidates

Are you looking for qualified health care professionals for your Iowa hospital? [HospitalCareers.com](#) can help. This website connects thousands of nurses, providers and other hospital jobseekers with Iowa hospitals each year and is a main resource for jobseekers looking for work in health care.



Your resource for Iowa hospital and health system jobs.

HospitalCareers.com



100 EAST GRAND, SUITE 100, DES MOINES, IA 50309-1835 | P 515.288.1955 F 515.283.9366 |
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