



Regulatory Year in Review: When Bad Things Happen to Good People

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SMITH & ASSOCIATES ATTORNEYS



Knowledge is
Power

Regulatory Review of all 8

Focused Review of HCS



Billing & Payment Issues



HCS Issues: Cap, Contract & Survey



Guardianship End Run



OIG Audits



Cost Report Issues



A&N Appeals



New DoL Rules

W E B D U T R



Cost Reports

Oldie But Moldie

Stairs Not There

Rate Enhancement Glitch



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Abuse & Neglect



car Accidents



Dark Hole



New Rules

BLAMERS
ANONYMOUS



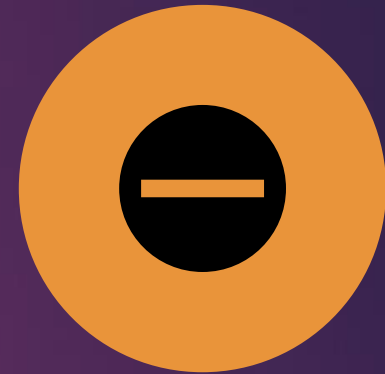
OIG



RIGID RULES




FORMAL PROCESS



EXTRAPOLATION

NO NO



"The line between good and evil is permeable and almost anyone can be induced to cross it when pressured by situational forces."

- Philip Zimbardo

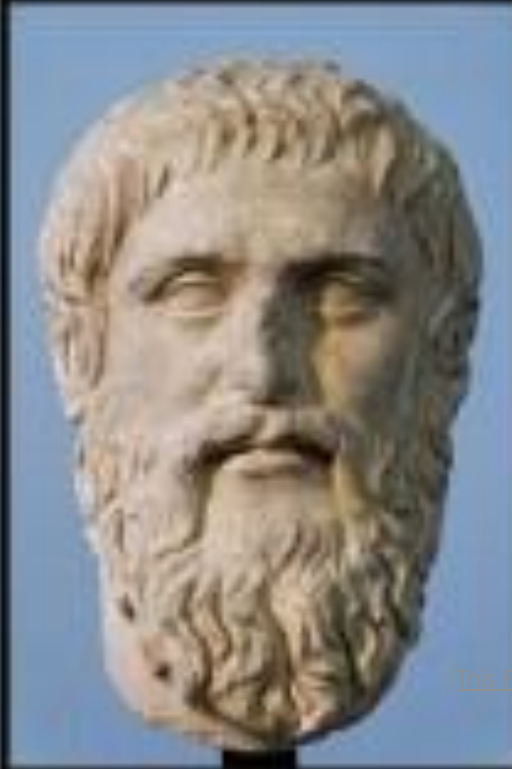
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Department of Labor

New
Overtime
Rules

Sleeptime
8 Hour Cap

Reasonable
Live In
Agreement



Good people do not need laws to tell them to act responsibly, while bad people will find a way around the laws.

(Plato)

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izquotes.com

Guardianship
End Run

Supported Decision
Making

Declaration of Mental
Health Treatment

Medical Power of
Attorney

IT ALWAYS
RAINS THE
HARDEST ON THE
PEOPLE WHO
DESERVE THE SUN.

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Billing & Payment

Copied Material of ANY Kind

Control Person as HH/CC Provider

Special Reviews

bad
things
you
don't
know
about

bad
things
you
do
know
about

good
things
you
don't
know
about

good
things
you
do
know
about

sucky

awesome

HCS Issues



SERVICES OVER THE
CAP



SURVEY CLAW BACK &
REFERRALS FROM B&P



CONTRACT
CANCELLATION

40 TAC 9.185

One or more principle; plan of correction required

Must correct within time in plan (not more than 30)

If plan rejected then may impose VH until accepted or CC

One or more serious or pervasive then plan must be completed in 30 days

If hazard, then correct by exit or termination

If falsified **document to show compliance**; VH or CC

Out on return; 14 days to submit evidence of compliance; VH or CC

QUESTIONS?



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