

Member Call Summary

October 24, 2025

Presentation on 13th Scope of Work

Government Shutdown: More Details on CMS' Medicare Payment Claims Hold

On October 21, the Centers for Medicare & Medicaid Services (CMS) sent a Medicare Learning Network (MLN) Connects Newsletter Special Edition on the Claims Hold. CMS has now instructed the Medicare Administrative Contractors (MACs) to lift the claims hold and process claims with dates of service of October 1, 2025 and later for certain services impacted by select expired Medicare legislative payment provisions passed under the Full-Year Continuing Appropriations Act, 2025. This includes claims paid under the Medicare Physician Fee Schedule, ground ambulance transport claims, and Federally Qualified Health Center (FWHC) claims. Additionally, claims for telehealth services that are definitively for behavioral and mental health services may be processed, but those for other telehealth services must continue to be held by the MACs as well as acute Hospital Care at Home claims.

Following up on the Medicare payment claims hold announcement early this month, the Centers for Medicare & Medicaid Services (CMS) on October 15, 2025 announced, via the Medicare Learning Network (MLN) an update and, via a posting on its All Fee-For-Service Providers Spotlight Page, provided additional information.

As explained in an October 10 LeadingAge [update](#), the hold was put in place on October 1 to avoid the reprocessing of claims for services that had been temporarily extended but expired on October 1, such as telehealth, in the event that such services can resume.

CMS Revises QSO Memo on Survey Activity

On October 21, the Centers for Medicare & Medicaid Services (CMS) [revised QSO-26-01-ALL](#) related to the contingency plans for state survey and certification activities during the Federal government shutdown. The memo clarifies survey activities and emphasizes that any survey activity that is not excepted functions authorized are illegal and must not be performed, regardless of the funding source.

Additionally, if States are completing licensure surveys during the Federal government shutdown, they shall not assume that the activity counts toward Federal survey requirements. States are expected to maintain communication with the Medicaid

agencies regarding Medicaid-only survey functions and whether funding is available to conduct the activities with the provided example of Nurse Aide Training and Competency Evaluation Program (NATCEP) surveys.

CMS further clarifies that during the lapse in appropriations; it is illegal for CMS or States that are acting on behalf of CMS to carry out any federal survey and certification activities beyond those deemed to be “excepted activities” and related to the safety of human life or protection of property. If the survey agency identifies an immediate jeopardy or actual harm, the survey agency is permitted to issue a CMS 2567 to the provider and conduct necessary communication and revisits to ensure deficiencies are addressed immediately and that no further harm to the patients or residents exists. Additionally, survey agencies may request approval from CMS to conduct a revisit if the provider or supplier has alleged compliance with CMS requirements and the revisit survey is necessary to determine compliance and prevent scheduled Medicare termination of the provider or supplier, or to prevent a statutorily mandated three-month denial of payment for new admissions.

During the government shutdown, if a nursing home voluntarily issues closure notice, the survey agency may conduct routine monitoring and oversight to ensure the orderly and safe relocation of the nursing home residents. Further clarification regarding surveys that were in process or recently completed prior to the shutdown should not expect that a CMS-2567 or other survey reports or communication will occur. CMS directs the survey agencies that surveys completed before the shutdown that had not completed or released the CMS-2567 prior to the shutdown should be held and not issued. These reports will generally remain valid if completed or communicated following the shutdown. Surveyors should not complete any training such as on the QSEP website or conduct the surveyor minimum qualifications test. States are also not allowed to complete any change of ownership activities unless it is considered excepted until there is a restoration of funding.

With October being scheduled quarterly refresh to the publicly reported data on Care Compare, we anticipate that CMS will likely not update or post this refresh until normal operations have resumed or we receive additional communication from CMS.

Iowa Medicaid Rate Updates

On Monday, October 20, Iowa Medicaid met with the long-term care associations to provide updates and answer questions. Iowa Medicaid provided updates on July 1, 2025 rebased nursing home rates. Approximately 42% of rates have been calculated, 18% are in the final processes and are anticipated to be finished soon, 6% have outstanding items, 34% are in process.

With the July 1 rates taking priority, Iowa Medicaid has not released the case mix index reports for the period ending June 30. Finally, for the rates that have been finalized, once the July rates have been completed, January 1, 2026 rates will be released once the July 1, 2025 rates are completed.

Adult Day Proposed Rule Changes

The Iowa Administrative Bulletin included notice of [proposed adult day program rule changes in 481-70](#). These changes are outlined below. You can submit comments no later than November 3 at 4:30 p.m. via email at amy.oetken@dia.iowa.gov or via mail addressed to:

Amy K. Oetken
Department of Inspections, Appeals, and Licensing
6200 Park Avenue
Des Moines, Iowa 50321

There will be a public hearing on November 4 at 1:30 p.m. at the Ledges Conference room, 6200 Park Avenue, Des Moines.

481-70.1 Definitions:

Removal of several definitions including accredited, adult day services, change of ownership, contractual agreement, functional impairment, nonaccredited, participant, participant's legal representative, and unmanageable verbal abuse.

481-70.4 Nonaccredited program – application content:

Removal of the rules requiring new programs to submit policy and procedures on evaluations of participants including copies of the tools used, service plans, addressing medication needs of participants, accidents and emergency response, food service, activities, transportation, staffing and training, emergencies including natural disasters, managing risk, reporting incidents including dependent adult abuse, and life safety requirements for dementia-specific programs.

Note that the program's requirement to have a procedure for extraordinary life measures, such as CPR was moved to 70.32(1)k.

481-70.6 Expiration of the certification of a nonaccredited program:

481-70.6(2) was removed which stated that the department will send recertification application materials to each program at least 120 calendar days prior to the expiration.

481-70.7 Recertification process for a nonaccredited program:

70.7(1) was revised that the application for recertification shall be submitted at least 90 days in advance to 30 days in advance of the expiration of the program's recertification.

481-70.8 Notification of recertification for nonaccredited program:

Removed several rules within this section and only included that the department will review the application, associated documents, approval from the fire safety bureau and determine compliance. If the building is in good standing, they will issue a two-year certificate. Previously there were rules including if regulatory insufficiencies were cited during the monitoring visits and if the department decided to deny recertification.

481-70.10 Certification or recertification of an accredited program – application content:

Removed most of the content in this section and referenced 70.4 for requirements.

481-70.12 Recertification process for an accredited program:

Similar to nonaccredited programs, the time frame was reduced from 120 calendar days to 30 calendar days. Several rules were also removed and condensed to if the program is in good standing, full recertification will be issued.

481-70.18 Plan reviews of a building for a new program and 481-70.19 Plan review prior to the remodeling of a building for a certified program:

These chapters were revised to update the details of submitting plan reviews including uploading to the online portal instead of mailing the plans to the department.

481-70.20 Cessation of Program operation:

This chapter was renamed to Cessation of program operation that includes seeking decertification and the subsequent rules in the chapter were condensed to indicate the program must provide at least 90 days advance notice of closing a program, submit a plan to the department on transitioning the participants and that the department may conduct monitoring visits during that period.

481-70.21 Contractual agreement:

This section was revised to remove the language that the program must include in the marketing materials that a copy of the contractual agreement is available to the public for review.

481-70.22 Evaluation of participant:

This section was revised to allow for licensed practical nurses to complete evaluations through nurse delegation processes based on the scope of practice changes from the board of nursing.

481-70.23 Criteria for admission and retention of participants:

Instead of listing out the specific criteria that a participant may be discharged for, the rule at 70.23(1) was revised to reference the Iowa Code 231D.19.

481-70.24 Involuntary discharge from the program:

70.24(1) was revised to reference the procedures in Iowa Code 231D.18 instead of listing them out.

Assisted Living Proposed Rule Changes

The Iowa Administrative Bulletin included notice of [proposed assisted living rule changes in 481-69](#). These changes are outlined below. You can submit comments no later than November 3 at 4:30 p.m. via email at amy.oetken@dia.iowa.gov or via mail addressed to:

Amy K. Oetken
Department of Inspections, Appeals, and Licensing
6200 Park Avenue
Des Moines, Iowa 50321

There will be a public hearing on November 4 at 1:30 p.m. at the Ledges Conference Room, 6200 Park Avenue, Des Moines.

481-69.1 – Definitions:

Removal of definitions that are no longer necessary including accredited, assisted living or program, change of ownership, in the proximate area, nonaccredited, and unmanageable verbal abuse.

481-69.2 – Certification:

481-69.2(3) was removed and incorporated into 481-69.2(2).

481-69.3 – Certification of a nonaccredited program – application process:

481-69.3(3) and (4) was removed from this section which outlined the fee that must accompany the application, that they are nonrefundable, and the department will consider the application upon receipt of the application, supporting documents, and the fees.

481-69.4 – Nonaccredited program – application content:

Removal of several supplemental documents including policies on tenant evaluation and tools used, service plans, medication needs, accidents and emergency response including head injuries, food service, activities, transportation, staffing and training, emergencies including natural disasters, managing risk, reporting incidents including dependent adult abuse, dementia specific life safety requirements, sexual relationships between tenants and staff, and tenants with dementia, and extraordinary lifesaving measures. Additionally, the proposed changes removed the statement in 69.4(22) that the program shall follow the policies and procedures established.

Note that the requirement to have a policy on sexual relationship between tenants and staff and tenants with dementia was moved to 481-69.28(8).

The policy and procedure requirement for extraordinary lifesaving measures, such as cardiopulmonary resuscitation (CPR) is included under 69.32(1)k.

481-69.6 – Expiration of the certification of a nonaccredited program:

Removal of 69.6(2) that the department will send recertification application materials to each program at least 120 calendar days prior to expiration of the program's certification.

481-69.7 – Recertification process for a nonaccredited program:

69.7(1) was revised stating that recertification applications, documentation, and the fees must be submitted to the department at least 30 calendar days prior to the expiration and removal of the statement that policies and procedures that were previously submitted do not need to be resubmitted.

481-69.8 – Notification of recertification for a nonaccredited program:

Removal of several rules in this section and summarize that if the program is in good standing, a two-year certification will be issued from the date of the expiration of the previous certification. The portions of the rules that were removed include that a monitoring visit will be conducted between 60-90 days prior to the expiration of the certification, if there are regulatory insufficiencies identified during the monitoring visit and responses.

481-69.10 – Certification or recertification of an accredited program – application content:

This section was significantly reduced and include that the application for certification and recertification shall comply with the same rules and include a copy of the accreditation outcome.

481-69.12 – Recertification process for an accredited program:

This section was condensed and removed that DIAL will send certification materials within 120 days of the expiration of the program's certification and changed to the program must comply with the rules to recertify at least 30 days prior to the expiration of the program's certification.

481-69.18 – Plan reviews of a building for a new program:

Revision to the process for submitting plans for new construction or renovations. Instead of being mailed to the department, they will be uploaded to the online portal.

481-69.21 – Occupancy Agreement

Removal of the requirement for your marketing materials to indicate that the occupancy agreement is available to all people upon request.

481-69.22 – Evaluation of tenant:

Evaluations prior to occupancy, within 30 days, annually, and upon a significant change were all revised to include licensed practical nurses via nurse delegation are able to complete in accordance with the change to the scope of practice.

481-69.23 – Criteria for admission and retention of tenants:

Removal of the term unmanageable verbal abuse or aggression

481-69.24 – Involuntary transfer from the program:

If a notice is issued for involuntary transfer from the program, the rules propose removing the requirement to send the notice via certified mail to the long-term care ombudsman. Instead, the program will provide a copy of the notice to the long-term care ombudsman by mail, or email.

69.27 – Nurse review:

The nurse review rules was also revised to allow LPNs to complete nurse reviews via nurse delegation.

69.28 – Food service:

If therapeutic diets are provided by the program, the program must have the thirteenth edition of the Iowa Simplified Diet Manual whereas previous rules indicated "a current copy". Additionally, the rule was removed that the program may have an on-site dietitian or may secure menus and a dietitian through other methods.

69.37 – Landlord and tenant act:

This section was removed.

69.39 – Respite care services:

Added that respite care services may be used as a method for a tenant to have a trial of the program.

Upcoming Events

Candida auris and Transfers (virtual)

October 28, 2025 from 2-3 p.m.

Midwest State Night Out (in-person)

November 2, 2025 from 6-7:30 p.m.

Location: Cheers Boston, 84 Beacon St., Boston, MA

MDS Validation Audits and QRP Webinar (virtual)

November 13, 2025 from 10:30-11:30 a.m.

Regional Networking Meeting (in-person)

November 13, 2025 from 1-3 p.m.

Location: Ridgecrest Village, 4130 Northwest Blvd., Davenport

Skilled Nursing Bootcamp (in-person)

November 17, 2025 from 9 a.m.-4:15 p.m.

Location: Aurora Training Center, 11159 Aurora Ave., Urbandale

Assisted Living Bootcamp (in-person)

November 18, 2025 from 9 a.m.-4:15 p.m.

Location: Aurora Training Center, 11159 Aurora Ave., Urbandale