



COMMISSIONER  
Adelaide Horn

April 27, 2009

To: Nursing Facility Providers

Subject: Information Letter No. 09-56  
Clarification That Time Using Continuous Positive Airway Pressure (CPAP) or Bi-level Positive Airway Pressure (BIPAP) Devices Cannot Be Counted as Time to Request Reimbursement for Ventilator/Respirator for Residents

The Texas Department of Aging and Disability Services (DADS) is providing clarification that effective June 1, 2009 the time used for CPAP or BIPAP devices, must not be counted as time towards requesting the add-on rate for Ventilator/Respirator in Field S6b of the Long Term Care Medicaid Information (LTCMI) on the Texas Medicaid and Healthcare Partnership (TMHP) Long Term Care (LTC) Portal.

There is no add-on payment under the new Medicaid Resource Utilization Groups (RUGs) payment system for CPAP or BIPAP. This is in accordance with the Resident Assessment Instructions (RAI) promulgated by Centers for Medicare and Medicaid Services (CMS) for the Minimum Data Set (MDS).

**Special Treatments and Procedures, Chapter 3: MDS Items [P]:**

***I. - Ventilator or Respirator -***

*Assures adequate ventilation in residents who are, or who may become, unable to support their own respiration. Includes any type of electronically or pneumatically powered closed system mechanical ventilatory support devices. Any resident who was in the process of being weaned off of the ventilator or respirator in the last 14 days should be coded under this definition. **Does not include Continuous Positive Airway Pressure (CPAP) or Bi-level Positive Airway Pressure (BIPAP) devices.** (Emphasis added.)*

Providers must not count any time that the resident uses a CPAP or BIPAP device when coding Field S6b on the LTCMI for Ventilator/Respirator for requesting the add-on rate for Ventilator/Respirator.

This clarification is a change from the previous instructions provided in the following documents. The corrected instructions are available at the links listed below.

- The TMHP Provider TILES to RUGS training materials Slide 56:  
<http://www.tmhp.com/File%20Library/File%20Library/Long%20Term%20Care%20Programs/LTC%20Workshop%20Materials/TILEs%20to%20RUGS%20Workshop/LTC%20RUG%20MDS%20Workbook.pdf>.

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- The PASARR instructions, page 24:  
<http://www.dads.state.tx.us/providers/tilestorugs/PASARRInstructions.pdf>.
- The NF LTCMI instructions, page 7:  
<http://www.dads.state.tx.us/providers/TILEStoRugs/LTCMINursingFacInstructions.pdf>.

Should you have additional questions, please contact Rose Rossman, Program Specialist, Policy Development and Support Unit, Institutional Services Section at (512) 438-5233 or by email at [rose.rossman@dads.state.tx.us](mailto:rose.rossman@dads.state.tx.us).

Sincerely,

*[signature on file]*

Tommy Ford  
Director  
Institutional Services Section  
Provider Services

TF:rr