

## Cordt Kassner

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## August 1st, 2024

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## Headlines

### **CMS 2025 Hospice Final Rule: Content and Initial Responses**

#### **1. [CMS Fact Sheet] Fiscal Year (FY) 2025 Hospice Payment Rate Update Final Rule (CMS-1810-F)**

*CMS Fact Sheet - Final Rule (CMS-1810-F); 7/30/24*

On July 30, 2024, the Centers for Medicare & Medicaid Services (CMS) issued a final rule (CMS-1810-F) updating Medicare hospice payment rates and the aggregate cap amount, for fiscal year (FY) 2025, in accordance with existing statutory and regulatory requirements.

*Editor's Note: This "Fact Sheet" provides the straightforward facts, in CMS's official*

language (6 pages, PDF). [Click here for the full CMS Federal Register Final Rule, 167 pages, PDF.](#)

## 2. **CMS rolls out 2025 Hospice Final Rule with 2.9% pay increase**

*Hospice News; by Holly Vossel; 7/30/24*

The U.S. Centers for Medicare & Medicaid Services (CMS) has unveiled its final 2025 hospice rule, which includes a 2.9% increase in per diem payments alongside new quality reporting measures. The increase represents an estimated \$790 million rise in total hospice payments compared to Fiscal Year (FY) 2024. It is also higher than the 2.6% hike that CMS initially proposed.

*Editor's Note: See above, #1 for the 6 page PDF "Fact Sheet." [Click here for the full CMS Federal Register Final Rule, 167 pages PDF.](#)*

## 3. **Hospice providers net \$790 million Medicare pay hike in FY 2025**

*Bloomberg Law; by Tony Pugh; 7/30/24*

- Nearly 6,000 hospice providers treat Medicare patients
- Medicare paid nearly \$24 billion for hospice care in 2022

Medicare payments to hospice providers would increase by \$790 million in fiscal year 2025 under a Biden administration final rule released Tuesday. The rule confirms a 2.9% rate increase from the Centers for Medicare & Medicaid Services (RIN 0938-AV29) and also finalizes changes to the Hospice Quality Reporting Program. Hospice providers that don't submit the required quality data would see a payment update of 2.9%, "minus four percentage points, which results in a -1.1% update," the CMS said in a fact sheet.

*Editor's Note: This article's tone sounds like hospice providers will make huge amounts of money with this 2.9% pay increase. Keep reading, below.*

## 4. **Hospice community responds to CMS 2025 Hospice Rule**

*Hospice News; by Jim Parker; 7/31/24*

The U.S. Centers for Medicare & Medicaid Services (CMS) on Tuesday finalized its 2025 hospice payment rule, but some say that the base rate increase is insufficient in today's environment. ... Stakeholders in the space contend that rate hikes have not kept pace with inflation, rising labor costs and other headwinds in the hospice space, as well as lingering effects of COVID. Some have also indicated that the "insufficient" payment rates are making it more difficult

for hospices to compete with other providers when it comes to hiring staff.  
*Editor's Note: This article voices concerns that are consistent with hospice leaders' ongoing concerns, data, and national trends. How does this 2025 Final Rule impact the services you provide?*

**5. Stay tuned. We will continue to include related articles as this unfolds, further.**

## Hospice Provider News

### **New play focuses on Advance Care Planning for LGBTQ+ families and caregivers**

*Hospice Foundation of America; by Lisa Veglahn; 7/29/24*

Hospice Foundation of America (HFA) has added a new version of the short play "Lily" by award-winning playwright Bryan Harnetiaux to its *AD (Advance Directives) Project*, a collection of plays that dramatize the importance of advance directives. In the play, Jo visits her ex-wife, Lily, who is seriously ill. Jo is surprised that after years apart, Lily has asked to see her. She is even more surprised by Lily's request that Jo serve as her surrogate decision maker when or if she cannot make healthcare decisions for herself. Hospice Foundation of America's *AD Project* uses two-character, 10-minute plays featuring different relationships and settings. The plays are easy to produce and are intended for use by hospices, hospitals, and other community-based organizations wanting to engage audiences in discussions about advance care planning. The world premiere of the newest version of "Lily" was produced by Accord Hospice & Palliative Care in Sedona, AZ, in partnership with PFLAG Sedona, Unify Sedona, and the Sedona International Film Festival.

*Editor's Note: [Click here for licensing information, to use this play in your community.](#)*

### **The 12 event raises over \$600,000 for NVNA and Hospice**

*MassNonprofit News; 7/30/24*

On June 19, NVNA and Hospice held its 10th annual The 12 event on the grounds of the Pat Roche Hospice Home atop Hingham's Turkey Hill. More than \$600,000

in critical funds were raised under the tent to support patients and families seeking end-of-life care. Over 600 guests gathered at the sold-out event, named for the 12 patient rooms at the home, for an evening of impact and inspiration. Family hospice experiences were shared, colleagues were honored, and live entertainment was provided by local musicians Steve and Sarah Bass. "Our ability to increase patient care access is directly due to the fact that this community supports our non-profit mission," said Renee McInnes, MBA, RN, CEO of NVNA and Hospice. "Each year I am overwhelmed by the generosity that continues to grow along with us."

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## Clinical News

### **End-of-life care planning 'needs to become routine'**

*Nursing Times; by Gemma Mitchell; 7/30/24*

Nurses need to support a "culture change" in end-of-life care whereby people's are better recorded and respected, a new report has urged. *[Free trial / subscription required for full access.]*

## Regulatory News

### **Empowering patient access, protection, and choice: The 21st Century Cures Act eight years on**

*Healthcare Business Today; by David Navarro; 7/26/24*

The 21st Century Cures Act, signed into law in December 2016, marked a significant shift in the healthcare landscape by focusing on patient empowerment through enhanced access to medical records, stringent privacy

protections, and increased choices in healthcare options. Eight years later, this landmark legislation continues to revolutionize the interaction between patients, providers, and the healthcare system. Recently, The U.S. Department of Health and Human Services (HHS) issued an updated ruling to the Act to establish penalties for healthcare providers who engage in information blocking. This rule, aims to deter practices that prevent or discourage the access, exchange, or use of electronic health information (EHI).

## **[AIDS Healthcare Foundation files Antitrust Action against Express Scripts PBM](#)**

*AIDS Healthcare Foundation (AHF), Los Angeles, CA; by Ged Kenslea; 7/29/24*

AIDS Healthcare Foundation ([AHF](#)) – the world’s largest HIV/AIDS healthcare organization which cares for more than 195,000 people in the United States and is an essential safety-net provider for disenfranchised, high-risk HIV/AIDS populations – has filed a federal lawsuit (U.S.D.C., E.D. Mo., Case No. 4:24-01043) against the pharmacy benefit manager (PBM) Express Scripts, Inc. and its subsidiary, Accredo Health Group, Inc. AHF asserts federal antitrust claims and claims of state unfair trade practices over Express Scripts’ use of its monopoly power as a PBM in Louisiana to impose anticompetitive restraints to destroy competition among specialty pharmacies like AHF’s. AHF’s lawsuit comes on the heels of a blistering 115-page [FTC report](#) documenting how powerful PBMs like Express Scripts squeeze mom-and-pop and independent pharmacies, driving many out of business.



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## **Public Policy News**

**[Senators introduce bipartisan bill to expand access to senior care program \[PACE\]](#)**

*FCFreePress.com; by News Desk - Health News; 7/25/24*

[Thursday, 7/25/24,] U.S. Senators Bob Casey (D-PA) and Mike Braun (R-IN), leaders of the U.S. Senate Special Committee on Aging, introduced the bipartisan PACE Anytime Act. This legislative move seeks to broaden the accessibility of the Program of All-Inclusive Care for the Elderly (PACE) which serves thousands of lower-income seniors and individuals with disabilities by offering comprehensive, integrated care. ... Under current regulations, eligible individuals can only enroll in PACE programs at the beginning of each month. The PACE Anytime Act proposes to remove this restriction, allowing for enrollment at any time during the month, thereby making the program more accessible.

## **Post-Acute Care News**

### **UnityPoint to open PACE senior center in Bettendorf**

*Quad Cities News; by Linda Cook; 7/29/24*

UnityPoint Health celebrates the opening of its second Program of All-Inclusive Care for the Elderly (PACE) site in Iowa, ... The new UnityPoint Health PACE Senior Care – Bettendorf includes a medical clinic, day center, therapy gym and other amenities under one roof. ... As a federal and state-funded program, PACE participants must meet certain medical and financial eligibility requirements. For more information, visit [here](#).

### **Wrongful death lawsuit filed after grandmother murdered at senior care facility in Santa Clara**

*PR Newswire, Santa Clara, CA; by Peacock & Bartlett, a.p.c.; 7/29/24*

The family of Vera Plares, a 98-year-old woman murdered at the Mission Skilled Nursing & Subacute Center in Santa Clara, CA filed a wrongful death lawsuit against the facility alleging Mission knowingly placed a patient with a violent past in the same room as their cherished grandmother. According to the complaint, Connie Delucca had a history of being violent at Mission and had a history of prior 5150 holds (a mental illness designation that someone poses a danger to themselves or others.) When Mission negligently placed Vera Plares in the same room as Ms. Delucca, little did Vera or her family know of Ms. Delucca's propensity for violence, or that Mission's decision would prove deadly.





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## Technology / Innovations News

### **Optimizing patient data transfer processes in healthcare settings**

*Healthcare Business Today; by Majed Alhajry; 7/28/24*

Managing and transferring large and often sensitive datasets is a routine yet critical task for healthcare organizations. Practitioners and administrators regularly share substantial files containing sensitive personal health information (PHI) that must be sent not only securely and reliably, but also quickly. So how should healthcare organizations send large files? ...

## Ethics

### **Physician pioneer in medical ethics dies: Howard Brody, MD, PhD**

*Becker's Hospital Review; by Mariah Taylor; 7/29/24*

Howard Brody, MD, PhD, a pioneer in the field of medical ethics, died July 22 at 75, *KnoxTNToday.com* reported July 29. Dr. Brody earned doctorates in both medicine and philosophy and specialized in topics such as medical ethics, end-of-life care and the placebo effect. He practiced family medicine and served as director of the Institute for the Medical Humanities at the University of Texas Medical Branch at Galveston, as well as director of the Center for Ethics and Humanities in the Life Sciences at East Lansing-based Michigan State University. Dr. Brody is survived by his wife and two children.

## General News

### **Skagit Regional Health comes to tentative agreement with nurses**

*Skagit Valley Herald; by Racquel Muncy; 7/30/24*

After 14 negotiation sessions over the past five months, Skagit Regional Health and its nurses reached a tentative agreement ... The contract would affect about 600 registered nurses at Skagit Valley Hospital, its clinics and at Hospice of the Northwest. The nurses were represented in their contract negotiations by the



Washington State Nurses Association. Prior to Monday's bargaining session, there had been three major sticking points for the nurses — wages, a desire to have annual raises based on experience rather than hours worked, and retirement benefits.



## **Grandad rehearsed his funeral 10 years ago – Now his final wishes come true after his passing**

*Good News Network; 7/28/24*

A British senior who pre-planned his funeral and rehearsed it on TV in 2013, had his final wishes come true after peacefully passing away in June. Malcolm Brocklehurst, who is a renowned aircraft expert, commissioned an orange airplane-shaped coffin ten years ago from Crazy Coffins, an offshoot of a Nottingham-based traditional coffin and urn maker in England that helps people customize their funeral. The grandfather-of-nine was filmed sitting in the coffin on Channel 5's Bizarre Burials, which also featured a rehearsal of the ceremony that the former aerospace engineer coordinated to the last detail. The plane was aptly called Tango One and numbered with MB 1934—his initials and year of his birth. He also announced that he wanted the funeral procession to leave from the stadium pitch where his favorite football team, Blackpool FC, plays. ... But speaking about the rehearsal in 2013, he said it was all “light-hearted fun.”

## **International News**

### **Doctors could opt out of assisted dying for religious reasons, says peer behind proposed law**

*The Telegraph, United Kingdom; by Kamal Ahmed and Camilla Tominey; 7/26/24*

Lord Falconer is launching a bill to make assisted dying legal but which includes a 'conscience clause' to factor in people's faiths. Doctors will be able to opt out of supporting assisted dying in England and Wales if they believe it clashes with their religious beliefs under a new attempt to legalise terminally ill people being able to end their lives.

## Today's Encouragement

When you first get a hill in sight, look at the top of it only once. Then imagine yourself at the bottom of the other side. ~ Florence Griffeth Joyner, known as Flo-Jo, Olympic runner 1984 and 1988, in Time's 2020 list of the most influential women of the past century.



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