



LONG TERM CARE NEWSLETTER

**ISDH Long Term Care
Newsletter
Issue 2019-03
June 13, 2019**

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Long Term Care Updates

EPA's New "Hazardous Waste Pharmaceutical" Rule

[The Resource Conservation and Recovery Act \(RCRA\)](#) is the public law that creates the framework for the proper management of hazardous and non-hazardous solid waste. The law describes the waste management program mandated by Congress that gave the EPA authority to develop the RCRA program. The term RCRA is often used interchangeably to refer to the law, regulations and EPA policy and guidance.

RCRA Part 266, Subpart P created regulations for the healthcare sector for the management of hazardous waste pharmaceuticals and eliminates the intentional 'sewerage' of hazardous waste pharmaceuticals (HWP). Long term care facilities are no longer exempt from this regulation. The sewer ban for all states is effective August 21, 2019.

Additional Resources:

[EPA Page for Final Rule](#)

[EPA Webinar about Final Rule](#)

[IDEM Public Notices "All Regions"](#) (scroll down to bottom for "Statewide")

[Signup for IDEM Email Updates](#)

Please contact Debbie Beers dbeers@isdh.in.gov or Brenda Buroker bburoker@isdh.in.gov with questions.

Certificate of Need Update

The new Certificate of Need (CON) regime for nursing homes goes into effect July 1, 2019. The Indiana State Department of Health (ISDH) has adopted an emergency rule that will facilitate processing for the first cycle of CON applications in July. July 1, 2019 is also the last day for the current construction and certification "moratorium". Anyone who expects to submit a CON application this year should contact the ISDH as soon as practicable so the agency can work with you in navigating this new process.

Please contact Miriam Buffington at mbuffington@isdh.in.gov or 317.233.7613 with questions.

Small House Update

The procedure for approval of "small house" nursing homes has not changed. The current annual bed limits will remain the same; no more than 100 small house beds per fiscal year, and no more than 50 per year for each provider. A small house may be part of a new project or, under certain conditions, be co-located with an existing facility to increase capacity. We recommend strongly that any provider thinking about building a small house contact ISDH early in the process to make sure beds are available and that all requirements are met.

Please contact Miriam Buffington at mbuffington@isdh.in.gov or 317.233.7613 with questions.

Criminal Background Check Update

All long term care facilities are required to use the Indiana Central Repository for the limited criminal history or an entity that has access to the same database that is maintained by the Indiana Central Repository. If the facility uses another entity there must be documentation from the other entity of what sources were used to obtain the limited criminal history. There is no current requirement for federal background checks.

Please contact Debbie Beers dbeers@isdh.in.gov with questions.

Education Events

MDS Training for 2019

The ISDH will host MDS 3.0 Training Sessions starting in June 2019. MDS Coordinators and back-up Coordinators are encouraged to attend. The training will review the upcoming MDS changes in Sections A,D,GG,I,J,K,O,V,X,Z and PDPM effective October 1, 2019. This training is free.

The [Training Schedule](#) includes the dates, time, and location throughout the state. Additional instruction and information is included on the training schedule.

Please contact Indiana State RAI Coordinator at bwheeler@isdh.in.gov or 317.233.4719 to RSVP or with questions.