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HHS Releases New NSA FAQs on Federal IDR Process

On Nov. 28, the U.S. Dept. of Health and Human Services (HHS) released two sets of frequently asked questions (FAQs) related to the No Surprises Act (NSA) federal independent dispute resolution (IDR) process. The first document, [FAQs About Affordable Care Act and Consolidated Appropriations Act, 2021 Implementation Part 63](#), addresses changes to batching criteria for the IDR process following opinions issued by the U.S. District Court for the Eastern District of Texas (District Court) on Aug. 3 and Aug. 24 of this year. Specifically, these FAQs address batching requirements for qualified IDR items and services determined eligible for the federal IDR process on or after Aug. 3, 2023, which was when the first District Court opinion vacated certain batching criteria. The effective standard for determining whether qualified IDR items and services may be batched is the statutory text that states items and services may be considered jointly as part of a single determination only if they are “related to the treatment of a similar condition.”

The second set of FAQs, [Federal Independent Dispute Resolution Process Batching and Air Ambulance FAQs](#), also addresses batching questions that stem from the August District Court opinions. These FAQs address batching and IDR initiation processes for disputes that were initiated before Aug 3. In some cases, batched items and services were determined eligible for the IDR process and correctly batched. In others, items and services were determined eligible for the IDR process but were incorrectly batched. The FAQs also address situations where eligibility and batching determinations were made, but not communicated to the disputing parties prior to Aug. 3. Processes for resubmitting batched items and services and updated timelines are included in this FAQ document.

HHS notes that the federal IDR portal is not currently open for the processing and initiation of batched disputes and single disputes involving air ambulance services. There will be a public announcement when activities for such disputes may resume. Additionally, these FAQs may be superseded should the processes and requirements outlined in the [Federal Independent Dispute Resolution Operations proposed rule \(CMS-9897-P\)](#) be finalized. This proposed rule was posted to the Federal Register on Nov. 3, and IHA will be submitting comments. IHA encourages all member hospitals and health systems to review the proposed rule and submit comments to the Centers for Medicare & Medicaid Services by Jan. 2, 2024.

[Contact us](#) with questions.

Register: Free Webinar on Nurse Recruitment, Retention Strategies

Build a sustainable nurse pipeline with strategies that meet employees' new job expectations. A complimentary webinar on Dec. 5 will outline approaches to nurse recruitment and retention that best fit hospital and health system needs and their community.

Medical Solutions—an IHA Corporate Sponsor and IHA Strategic Partner—will present “[Turning the Tides of Nursing: Recruitment & Retention](#)” from 10-11 a.m. Patti Artley, DNP, RN, CPN, NEA-BC, Medical Solutions Chief Nursing Officer, will:

- Review pre-pandemic staffing challenges;

- Highlight factors contributing to today's complex staffing challenges in healthcare.
- Discuss short- and long-term nurse recruitment and retention strategies.

A registered nurse for over 35 years, Artley has served in a variety of nursing and clinical leadership roles and as President of the South Carolina Organization of Nurse Leaders. She is a member of several committees at the state and national level focused on workforce and building creative staffing solutions.

The webinar will benefit hospital and health system leaders, especially those in administration, nursing and human resources.

There is no cost to attend. Registrants will receive a link to the webinar recording, which will be available for 60 days after the program. [Register today](#).

[Contact us](#) with questions.

Free, Convenient Way to Fulfill DEA-Mandated Opioid Training

The 2022 Medication Access and Training Expansion (MATE) Act requires opioid prescribers to complete a one-time eight-hour training requirement for opioid and substance use disorders. The MATE requirements can be met with a free program offered by NEJM Knowledge+. The engaging, 62-question online course aligns with the Substance Abuse and Mental Health Services Administration's content recommendations. Curated into eight topic areas for streamlined learning, the course also contains learning resources, feedback, and clinical tools that reflect your everyday practice, so you can feel more confident managing pain appropriately. [Click here](#) for more information. Register [here](#).

2023 Illinois Minority Health Conference in Bloomington Dec. 4-5

The Illinois Dept. of Public Health (IDPH) announced that the Keynote Speaker for the state's upcoming 2023 Minority Health Conference on December 4 and 5 in Bloomington will be Robert Santos, Director of the U.S. Census Bureau. Other speakers include IDPH Director Dr. Sameer Vohra, the Mayor of Bloomington, Mboka Mwilambwe, and Southern Illinois University professor Jeremy Allen, an expert on structural racism.

The conference at Illinois State University is designed to share knowledge on health disparities and social justice issues; build competencies among healthcare professionals; and develop collaborations with service providers and community partners aimed at more effectively serving minorities and other disadvantaged communities in Illinois. [Click here](#) for more information and to register for the 2023 Illinois Minority Health Conference.

Common Hospital Disinfectant Doesn't Work Against *C. diff*

One of the primary chlorine disinfectants currently being used to clean hospital scrubs and surfaces does not kill off the most common cause of antibiotic associated sickness in healthcare settings globally, according to a recent study [published in Microbiology](#). The study found that the common hospital disinfectant sodium hypochlorite, most widely known as household bleach, doesn't work against *Clostridioides difficile*, or *C. diff*.

C. diff bacteria is the most common cause of hospital-acquired infectious diarrhea in the developed world, estimated to cause almost half a million infections in the U.S. each year. One in six patients who get *C. diff* will get it again in the subsequent 2-8 weeks. The Centers for Disease Control and Prevention's (CDC) [Guideline for Disinfection and Sterilization in Healthcare Facilities](#) recommends a 1:100 dilution of 5.25%-6.15% sodium hypochlorite for small spills of blood.

The new study examined spore response of three different strains of *C. diff* to three clinical in-use concentrations of sodium hypochlorite. The spores were then spiked onto surgical scrubs and patient gowns, examined using scanning electron microscopes to establish if there were any morphological changes to the outer spore coat. Study authors found that the chlorine chemicals are no more effective at damaging the spores when used as a surface disinfectant than using water with no additives.

Study's authors say susceptible people working and being treated in clinical settings might be unknowingly placed at risk of

contracting the superbug. As a result, they have called for urgent research to find alternative strategies to disinfect *C. diff* spores in order to break the chain of transmission in clinical environments. [Click here](#) for more information on the study.

COVID-19 Information

Since the end of the COVID-19 Public Health Emergency on May 11, the Illinois Dept. of Public Health (IDPH) is releasing updated COVID-19 data every other week. [Click here](#) for the most recent hospitalization update. IDPH will continue to report the weekly number of people with COVID-19 admitted to hospitals from emergency departments, deaths and vaccinations, as well through the dashboard of the [Illinois Wastewater Surveillance System](#).

Briefly Noted

The U.S. Cybersecurity and Infrastructure Security Agency (CISA) and the U.K. National Cyber Security Centre (NCSC) joined nearly two dozen international partners in publishing a [document](#) outlining guidelines for secure AI system development. The guidelines are broken down into four key areas within the AI system development life cycle: secure design, secure development, secure deployment, and secure operation and maintenance, and are intended for providers of any systems that use artificial intelligence (AI), whether those systems have been created from scratch or built on top of tools and services provided by others.

New Centers for Disease Control and Prevention (CDC) [data](#) show that life expectancy in the U.S. rose by more than a year in 2022, representing the first increase in life expectancy since the COVID-19 pandemic began. Researchers said the 1.1-year increase is due primarily to decreases in mortality due to COVID-19, representing 84.1% of the positive contribution. While life expectancy grew across every racial and ethnic demographic, it still remains lower than 2019.

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