

# Neonatal Rules Webinar

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- Today is our Kick-off for the Neonatal Designation Program!
- Power Point Presentation – which will be mailed out to participants and RACs.
- Questions – will be answered at the end of the presentation.
- Questions specific to your facility or Level of designation will be addressed during the upcoming webinars.

# How do I send questions?

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- You may type your questions in the chat box and enter once you are completed;
- Or
- You may email your questions to:
  - [Diana.Chorn@strac.org](mailto:Diana.Chorn@strac.org)



# Hospital Level of Care Designations for Neonatal Care

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**Systems**  
**Department of State Health**  
**Services**

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**Neonatal & Maternal**  
**Designation**  
**Department of State Health**  
**Services**

**June 9, 2016**



# Objectives

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- Overview of Women’s Health and Birth Outcomes.
- History related to neonatal & maternity levels of care designation in Texas
- Regional Advisory Councils (RACs) and Perinatal Care Regions (PCRs) “participation”
- Overview of the designation process
- Answer questions and next steps

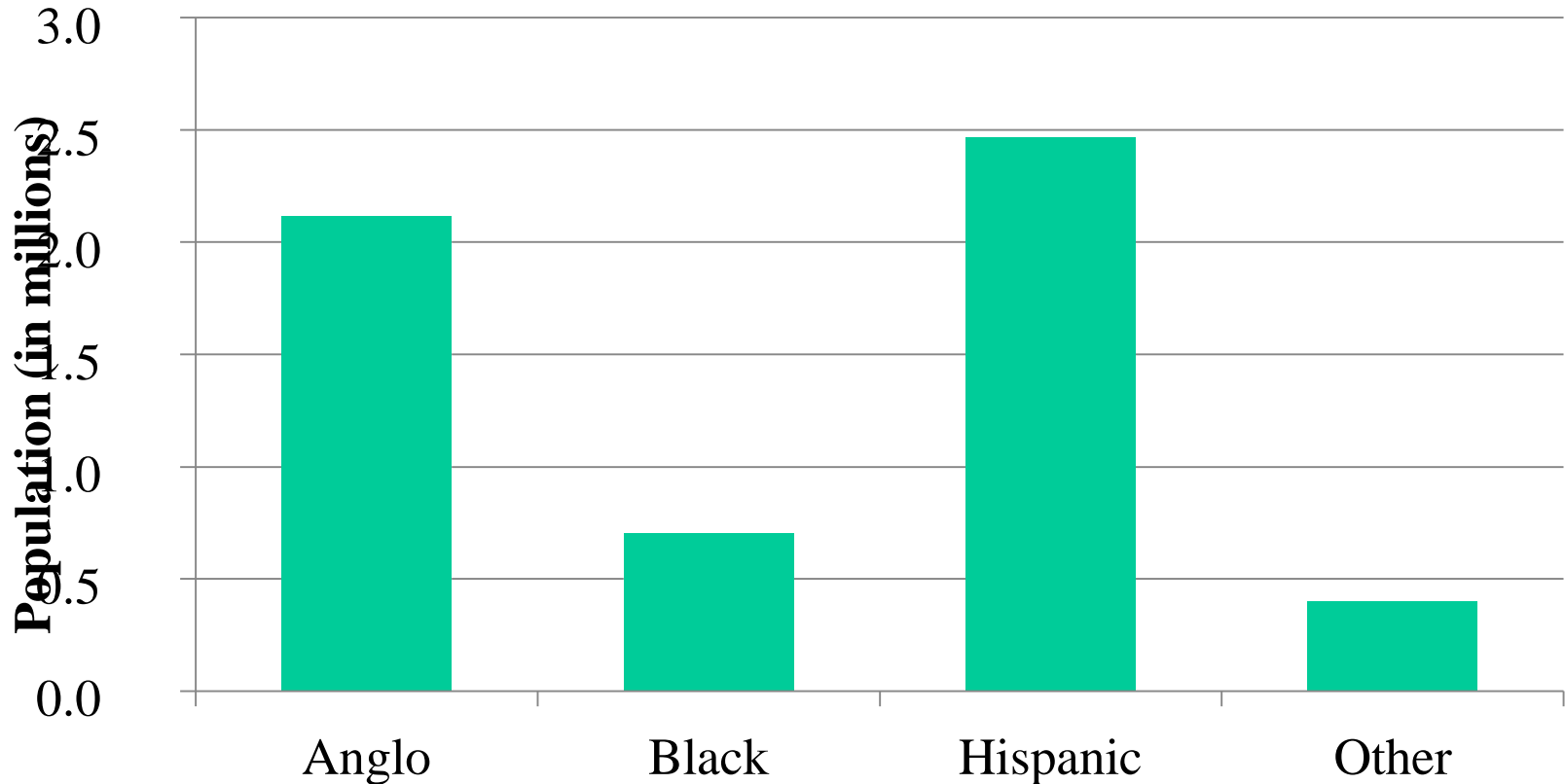
# Women's Health in Texas

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- Texas is experiencing substantial population growth
  - Between 2000 and 2013, Texas added 1.2 million more residents, more than any other state, and grew by 4.8%, compared to 2.2% growth for the entire country
  - In 2014, 42% of women (5.7 million) are of childbearing age
- Access to health care among women in Texas
  - In 2014, 78% of women 19-64 years had health insurance coverage

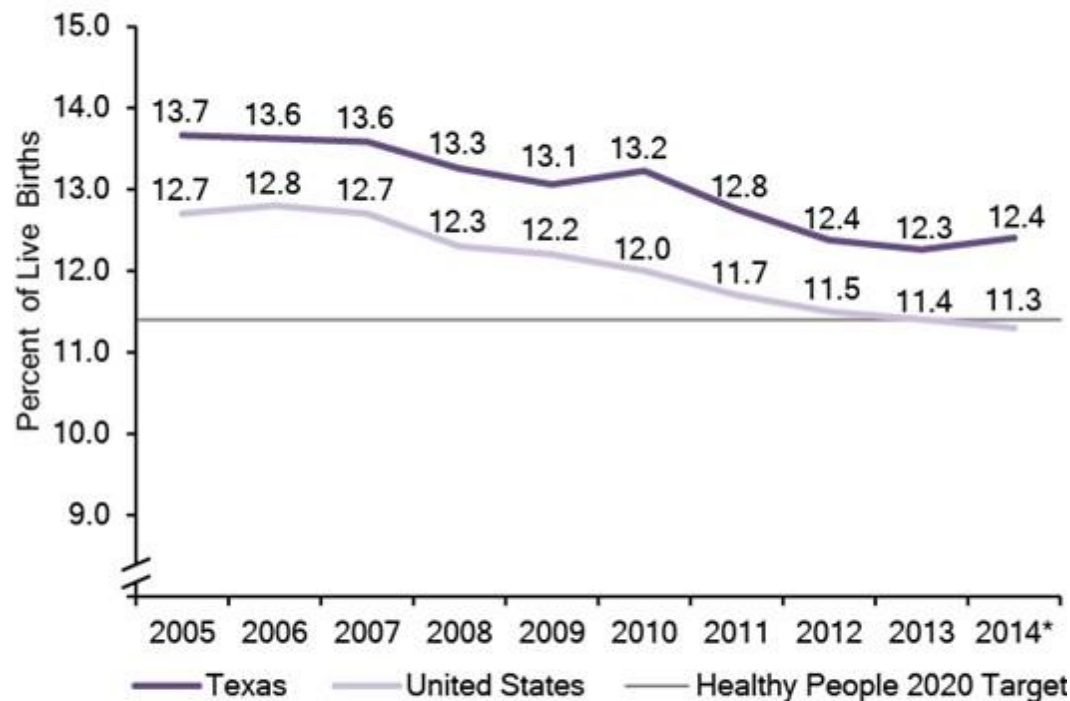
## Women's Health in Texas

### Population of Women of Childbearing Age (15-44) in Texas by Race/Ethnicity, 2014



# Preterm Births in Texas and U.S.

Percent of Live Births Born Preterm (less than 37 weeks) in Texas and United States Using Combined Estimate of Gestation, 2005-2014



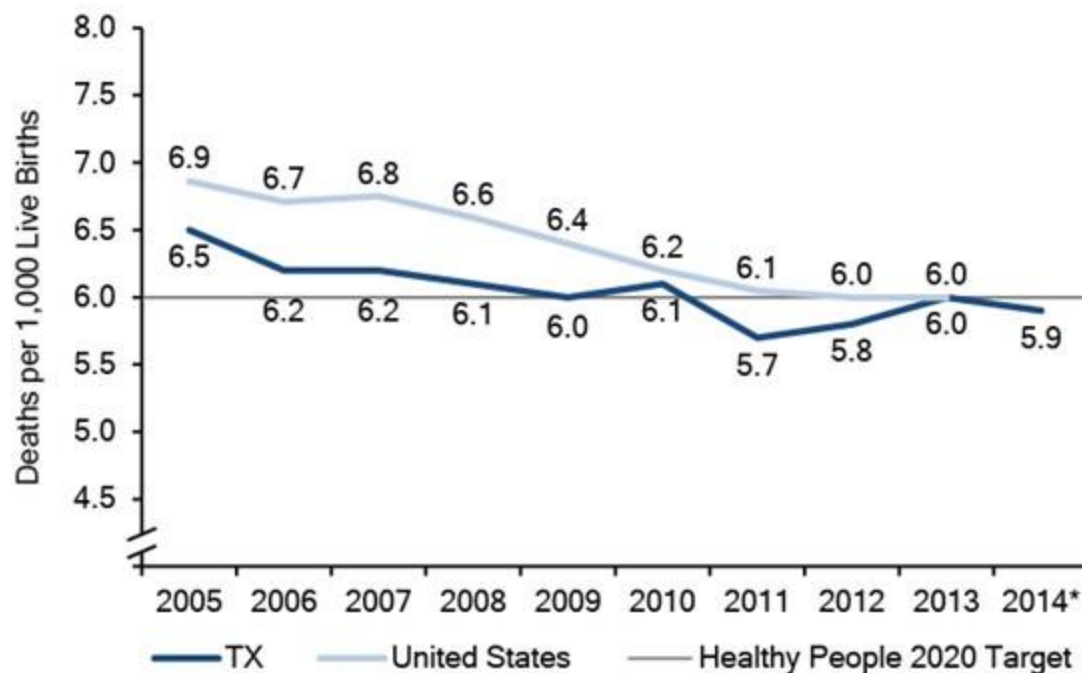
\*2014 Texas and United States data are preliminary

Source: 2005-2014 Texas Birth Files,  
National Center for Health Statistics

Prepared by: Office of Program Decision Support  
Sept 2015

# Infant Mortality in Texas and U.S.

Infant Mortality Rate in Texas and The United States, 2005-2014

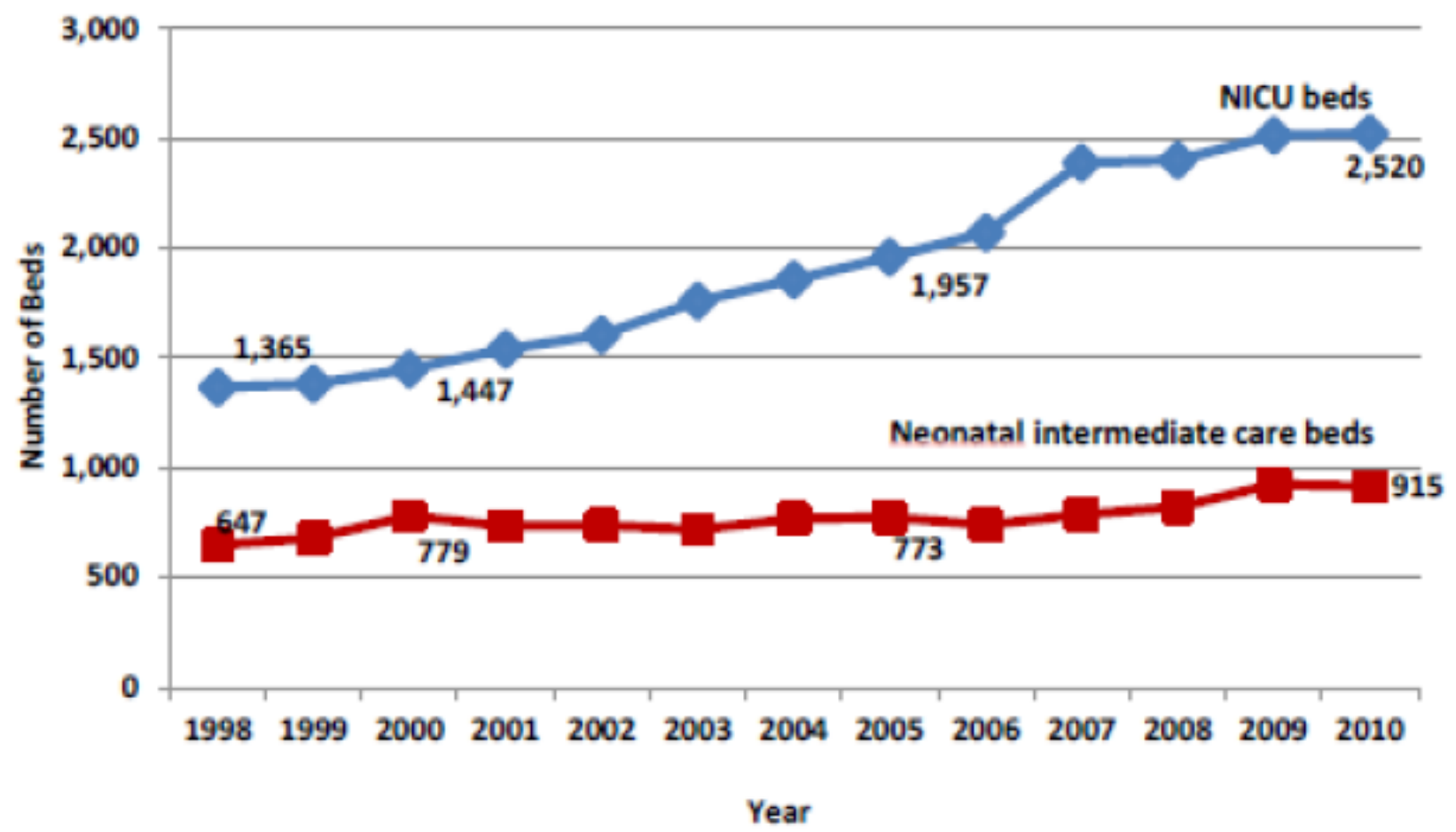


\*2014 Texas and United States data are preliminary  
 Source: 2005-2014 Texas Birth & Death Files,  
 National Center for Health Statistics  
 Prepared by: Office of Program Decision Support  
 Sept 2015



- Approximately 53% of all Texas births (213,253) paid by Medicaid
- Over \$3.5 billion per year for birth and delivery-related services for moms and infants in the first year of life
- Medicaid newborn average costs (first year of life):
  - Prematurity/low birth weight complications \$ 109,220
  - Full-term birth \$ 572
- In FY2015, Medicaid paid over \$402 million for newborns with prematurity and low birth weight. Care delivered in the neonatal intensive care unit (NICU) is now the costliest episode of medical care for the non-elderly population.

**Figure 6** Number of Self-Reported NICU and Neonatal Intermediate Care Beds, Texas, 1998-2010



Source: Healthy Texas Babies Report, 2011

# Texas

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- 1998 – 2010 number of NICU beds increased by >1100
- 1998 – 2010 number of intermediate care beds increased by >250
- Hospitals that “self identified” level of neonatal care provided, by state survey, were found to be inaccurate 30-40% of time.



# Legislative Overview

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- Neonatal Intensive Care Unit (NICU) Council; 82<sup>nd</sup>
  - HB 2636
  - develop standards for operating a NICU in Texas;
  - develop an accreditation process for NICUs to receive payment for services provided through Medicaid
  - study and make recommendations regarding best practices and protocols to lower NICU admissions
  - Report to the Legislature 1/2013

- HB15, 83<sup>rd</sup>
  - Neonatal and Maternal Levels of Care
  - Establish neonatal and maternal care regions
  - Facilitate transfer agreements
  - Perinatal Advisory Council (PAC); abolished on Sept. 1, 2025.
  - Neonatal and Maternal rules adopted by March 1, 2017
  - Neonatal designation by August 31, 2017
  - Maternal designation by August 31, 2018

# Legislative Timeline

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- HB3433, 84<sup>th</sup>
  - Neonatal and Maternal rules adopted by March 1, 2018
  - Neonatal designation by August 31, 2018
  - Maternal designation by August 31, 2020



# Rule Development Process

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- Neonatal Rules were developed over a 12+ month process
- Perinatal Advisory Council recommendations
- Stakeholder meetings
- Public Hearing
- Published for public comment Nov 20, 2015 in the Texas Register
- Published in the Texas Register, June 3, 2016 as adopted.
- Neonatal Rules effective June 9, 2016.

# Neonatal Rules

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- June 9, 2106 – The neonatal rules are effective today!
- Texas Administrative Code (TAC)
  - Title 25 Health Services
  - Part 1 Department of State Health Services
  - Chapter 133 Hospital Licensing
  - Subchapter J Hospital Level of Care Designations for Neonatal and Maternal Care.





## **Subchapter J**

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- **§133.181 Purpose**
- **§133.182 Definitions**
- **§133.183 General Requirements**
- **§133.184 Designation Process**
- **§133.185 Program Requirements**



## Subchapter J

- **§133.186 Level I**
- **§133.187 Level II**
- **§133.188 Level III**
- **§133.189 Level IV**
- **§133.190 Survey Team**

- Licensure
- Designation
- Accreditation
- Certification
- Verification

- **General Requirements**
  - **Our office recommends the appropriate designation for a facility to the Executive Commissioner of HHSC**
  - **Multiple locations under a single license requires that each location is separately designated**
  - **Final designation may not be the level requested by the facility**

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- Neonatal Levels of Care
    - Level I – uncomplicated newborns, generally  $\geq 35$  weeks
    - Level II – newborns  $> 32$  weeks, 1500 g, need ventilatory support less 24 hours
      - (75+ miles from Level III/IV, down to 30 weeks, vent  $< 24$  hours) with 24/7 neonatal provider in-house
      - Provide same level of care
    - Level III - newborns all gestational ages, complicated problems, access to specialist consultation
    - Level IV - most complex, surgery for complicated congenital conditions

- Perinatal Care Regions (PCRs)
  - Aligned with the Trauma Service Areas (TSAs) due to established infrastructure to support the functions of the PCRs.
  - Established for regional planning purposes, including emergency and disaster preparedness.
  - Not established for the purpose of restricting patient referral.

- Designation Process
- **Application will be released September 1, 2016.**
  - **Application Process for Level I Facilities**
    - Completed application
    - Fee
    - Self audit of neonatal services provided by the facility.
    - Attestation by the Governing Board.
    - Letter of participation in the Perinatal Care Region.

# TAC §133.184

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- **Application Process for Level II, III and IV Facilities**
  - Completed application
  - Fee
  - Letter of participation in the Perinatal Care Region.
  - A survey report of compliance or non-compliance with the rules.
  - A plan of correction (POC) if any potential deficiencies are identified.



# Survey Agencies

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- AAP – American Academy of Pediatrics
  - Website – [aap.org](http://aap.org)
- TETAF – Texas EMS, Trauma and Acute Care Foundation
  - Website – [tetaf.org](http://tetaf.org)

## TAC §133.184

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- Complete application packets for facilities that have a successful survey on or before July 1, 2018 will be issued a three year designation.
- Higher level facilities unable to undergo a survey before the designation deadline, may designate as a Level I initially to ensure eligibility for Medicaid payments.

## Why Designate?

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- Each hospital that provides neonatal care will need to be designated by September 1, 2018 to receive Medicaid funds.
- Designation for maternal care is required by September 1, 2020.

- Webinars:
  - June 9 – Kick off webinar for the Neonatal Rules
  - June 13 - 1000, Level I Specific Rule Review
  - June 14 - 0900, Level II Specific Rule Review
  - June 16 – 0900, Level III and IV Specific Rule Review
  - June 20 – 1100, Level III and IV Specific Rule Review
  - June 21 – 1100, Level I Specific Rule Review
  - June 24 – 1100, Level II Specific Rule Review
  - June 29 – PCR meeting in El Paso with Dr. Harvey

## DSHS Website

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- The DSHS website is currently under construction and not available.
- Functional again in June
- Website will be updated with the rule, educational opportunity dates and a Frequently Asked Questions (FAQ) section.



# Neonatal Designation Coordinator

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# Contact Information

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- Please send your name, title, facility name, email address and phone number to:
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# Questions?

