

Ransomware Attack: Requesting an Extension and Exception for HH Quality Reporting (Untimely OASIS Submission)

Unable to Comply with 30- day Timely Submission of OASIS

During the ransomware attack, HHA's medical record software was not functional and may have resulted in untimely submission of OASIS; therefore, being out of compliance with the HH Quality Reporting Regulations. If this occurred in your agency, you are eligible to file an *Exception and Extension Request* based on extraordinary circumstances.

Definitions

- **Extraordinary Circumstances:** Natural or man-made disasters preventing timely submission of quality data. A disaster may be widespread or affect multiple structures or isolated and affect a single site only.
- **Extension:** Submission deadline extended. CMS can extend submission deadlines for the specified deadlines for 30 to 45 days beyond the scheduled due date applicable to other facilities.
- **Exception:** Submission deadline waived. CMS can exempt a facility from submitting quality data for the specified deadlines without impact on the Annual Payment Update.

When an extension/exception is granted, an HHA will not incur payment reduction penalties for failure to comply with the requirements of the HH QRP. Under the finalized process, an HHA may request an extension/exception of the requirement to submit quality data for a specified time period by submitting a written request to CMS.

Exception and Extension Requests Overview

CMS provides HHAs an opportunity to request an exception or extension from the program's reporting requirements in the event they are unable to submit quality data due to extraordinary circumstances beyond their control. HHAs affected by a natural or man-made disaster or other extraordinary circumstances may request an exception or extension by filing a *Request for Reconsideration Due to Disaster or Extraordinary Circumstance*

Here are the key elements of an exception or extension request:

- **All HHAs requesting an exception or extension must submit the request within **ninety (90) days of the event**. CMS may grant the exception or extension for one or more quarters.**
- HHAs must request an exception or extension via email with the subject line, "**HH QRP Exception or Extension Request**"
- The exception or extension request must be sent to: HHAPURReconsiderations@cms.hhs.gov.

The email must also include all of the following information:

- HHA CCN;
- HHA business name;
- HHA Business Address

- CEO or CEO-designated personnel contact information including name, telephone number, email address, and mailing address (the address must be a physical address, not a post office box);
- Evidence of the impact of extraordinary circumstances, including, but not limited to, photographs, newspaper, and other media articles.
- A date when the HHA believes it will be able to again submit HH QRP data and a justification for the proposed date.
- Any other documentation supporting the rationale for seeking reconsideration
- If you do not have all of this documentation, please explain in your request.

Please note:

Never include PHI or other HIPAA violations in the documentation being submitted to CMS for review. CMS will not review requests that include PHI or any data violating HIPAA.

Any exception or extension requests submitted for purposes of the HH QRP will apply to that program only, and not to any other program CMS administers for HHAs, such as survey and certification.

Response from CMS

- CMS will provide a written acknowledgement upon receipt of the exception and extension request. CMS will notify the CEO or CEO-designated contact provided in the request with the decision, via USPS mail and email.

For additional assistance, HHAs may submit questions related to the HH QRP exception and extension request to: HHAPUReconsiderations@cms.hhs.gov.