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## 1. WHAT IS AN IMD?

IMD stands for Institutes of Mental Diseases. An IMD is a hospital, **nursing facility**, or other institution of **more than 16 beds** that **primarily** engages in providing **diagnosis, treatment, or care of persons with mental diseases**, including medical attention, nursing care and related services. [42 CFR 435.1010]

The Social Security Act 1950(i), 1950(a) provides that Federal Financial Participation is not available for any medical assistance under Title XIX (Medicaid) for individuals who are patients in an IMD, including per diem or any other costs unless the payments are for optional benefits expressly elected by the state through the state plan to individuals 65 or older or 21 and younger.

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## 2. WHAT IS THE LIKELIHOOD OF IMD INVESTIGATION AND ENFORCEMENT AT THIS TIME?

Nebraska Department of Health and Human Services, Medicaid Division will planfully work with providers to develop community and facility resources as the state moves toward closer monitoring of providers' IMD status. Medicaid may elect to enforce recoupment for providers who become IMDs. Facilities with concerns regarding the potential to meet IMD criteria are advised to enact efforts to reduce the risk of being identified as an IMD. [Return to top](#)

## 3. I THINK MY FACILITY MIGHT BE AN IMD. WHAT DO I DO?

Work with the Nebraska Department of Health and Human Services, Medicaid Division to identify and develop a plan to reduce your risk. [Return to top](#)

## 4. DOES BEING ON A PSYCHOTROPIC MEDICATION AUTOMATICALLY PUT A RESIDENT INTO A CATEGORY THAT WOULD BE COUNTED TOWARD THE 51% CENSUS CRITERION IN AN AUDIT OF IMD STATUS?

Psychotropic medication use that is found to not be associated with the presence of a serious mental illness should not automatically include a resident in the IMD census count for the 51% criterion.

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### **5. IF A RESIDENT ADMITS TO THE NF FOR A MEDICAL REASON AND IS ON A PSYCHOTROPIC MEDICATION, WOULD THE RESIDENT STILL COUNT TOWARD THE IMD 51% CRITERION?**

Possibly. An IMD audit would look at the resident's primary reason for admission and the primary need for continued NF care. For example if an individual initially was admitted primarily for care of a medical condition, the IMD count might not include the individual at or near admission. However, if the facility were to undergo an IMD review at a later time and it was found that the medical condition had resolved, and that the individual appeared to remain in the NF primarily for continued care or stabilization related to a mental health condition, that person would likely be counted toward the 51% criterion.

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### **6. WHEN DID IMD COME INTO EFFECT?**

Regulations regarding IMD have been in effect for decades but have experienced an increased focus nationally and within Nebraska over the past few years. The IMD status of nursing facilities is likely to continue to be more closely scrutinized in the coming years.

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### **7. WHY WAS THIS TRAINING GIVEN?**

Nebraska Department of Health and Human Services, Medicaid Division asked Ascend to present the IMD information for educational purposes as a self-assessment tool.

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### **8. HOW FAR INTO A NF'S HISTORY WILL THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES, MEDICAID DIVISION LOOK TO DETERMINE IMD STATUS?**

The Nebraska Department of Health and Human Services, Medicaid Division will establish those parameters before initiating audit procedures. Such parameters have not been determined or announced at this time.

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**9. HAS THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES, MEDICAID DIVISION APPROVED ANY NURSING FACILITIES TO OPERATE AS IMDs?**

No. Nebraska has not authorized any in state nursing facilities to operate as an intentional IMD at this time.

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**10. WHERE CAN I FIND MORE INFORMATION ABOUT WHAT MAKES A FACILITY AN IMD?**

You can visit [www.PASRR.com](http://www.PASRR.com) to review the PowerPoint slides associated with the training the Nebraska Department of Health and Human Services, Medicaid Division requested Ascend to give. A recording of the live presentation is also available under the *Educational Tools* section of the Nebraska PASRR website. If you have a specific question about IMD criteria, you can contact the Nebraska Medicaid Inquiry line at 877-255-3092.

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**11. DO YOU HAVE A LIST OF RESOURCES AVAILABLE SO I CAN CONDUCT SOME RESEARCH ABOUT IMDs?**

Yes, these are also available on [www.PASRR.com](http://www.PASRR.com) under the *Educational Tools* section.

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