

7 Things You Need To Know About IDRs



During the 2011 Regular Session of the West Virginia Legislature, House Bill No. 2522 was passed and became effective on June 6, 2011. It created an option for nursing homes to have citations reviewed by an independent third party. Highlights of the bill follow:

1. Once the facility receives a statement of deficiencies (Form 2567), it has ten days to specifically request either an informal hearing, the new independent informal dispute resolution process or a formal hearing. If an informal hearing or the new independent informal review resolution process is selected, the facility may have an opportunity to request a formal hearing at a later date.
2. If the new independent informal dispute resolution process is selected, the director of OHFLAC will assign the matter to one of three independent review organizations accredited by the Utilization Review Accreditation Commission.
3. Before the independent informal dispute resolution conference takes place, the facility may submit additional information.
4. If the independent review organization determines the need for more information, clarification or discussion after the conclusion of the conference, the director and facility must provide the information.
5. If the director of OHFLAC disagrees with the determination of the independent review organization, the director may reject it, but must issue an order setting forth the rationale for the reversal.
6. If the facility is unhappy with the final decision, it may request a formal hearing within ten days of the director's final decision. Requesting the independent informal dispute resolution process does not waive the facilities right to a formal hearing.
7. If a facility requests the independent informal dispute resolution process, the facility may be subject to certain costs such as:
 - The cost of a face-to-face conference if one is requested; and
 - The cost charged by the independent review organization, if the facility loses.

(W. Va. Code Sections 16-5C- 8, 16-5C-10, and 16-5C-12)

This document is posted on the WV Health Care Association website. Visit www.wvhca.org, click on Membership and then select Regulatory. The Members Only password is required.