



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

August 19, 2019

DAL# 19-19: Uniform Assessment System for
New York (UAS-NY) Assessments

Dear Administrator:

The purpose of this letter is to remind Administrators and Assisted Living Program Operators of the requirements for conducting the *Community Health Assessment (CHA)*, a nursing assessment housed in the Uniform Assessment System for New York (UAS-NY). Specifically:

- **A Registered Professional Nurse (RN) must complete the CHA in its entirety, including triggered supplements.**
 - Nursing diagnosis by an RN is cited in Section 6901 of Article 139 of the Education Law as: *identification of and discrimination between physical and psychosocial signs and symptoms essential to effective execution and management of the nursing regimen. Such diagnostic privilege is distinct from a medical diagnosis. Nursing diagnosis has been additionally interpreted by the Department as including patient assessment*, that is, the collection and interpretation of patient clinical data, the development of nursing care goals and the subsequent establishment of a nursing care plan.
 - Section 6902 of Article 139 of the Education Law does not include nursing diagnosis within the scope of practice of Licensed Practical Nurses. Thus, Licensed Practical Nurses in New York State do not have assessment privileges; they may not interpret patient clinical data or act independently on such data; they may not triage; they may not create, initiate, or alter nursing care goals or establish nursing care plans.
 - Questions regarding nursing practice can be referred to the nursing board via email to nursebd@nysed.gov or telephone at (518) 474-3817 ext. 120.
- **The CHA must be completed in-person/face-to-face.**
 - Telephonic, Skype, or Face Time assessments are not permitted under any circumstance.
- **The RN Assessor must enter the data into either the UAS-NY Online or Offline Application in real-time while conducting the assessment.**
 - For more information on the rare circumstances that allow for use of the paper assessment, please refer to UAS-NY policy 19.1 *Conducting the UAS-NY Community Health and Pediatric Assessments*.

- **The CHA must be signed by the RN who conducted the assessment.** Examples of non-compliance include, but are not limited to:
 - The assessment conducted by one user then signed by an RN.
 - Assessments performed by an RN then signed by another user.
 - More than one user completing one assessment.
 - Portions of the assessment being delegated to another user.
 - Assessments with signature names that do not match the Health Commerce System (HCS) credentials of the user entering the signature.
 - A user signing in to the UAS-NY to perform the work of another user or a user allowing another user access to their user-specific account.

- **The CHA must be signed and finalized on the day it is conducted or within two days if collateral information is required to complete the assessment.**
 - The UAS-NY CHA is intended to provide insight into the health status of the individual at the time of the assessment.
 - Unsigned/unfinalized assessments are not recognized as valid and cannot be used in conjunction with eligibility determination, level of service need, care planning, authorization of services, or billing.
 - Unsigned/unfinalized assessments increase the potential for fraudulent activity which could negatively impact the organization or the RN Assessor.

- **The RN Assessor signature must contain** the complete legal name, license number, and official title of the assessor and be accurately recorded in the appropriate UAS-NY fields.

- **Facilities and/or individuals identified as non-compliant** with the above requirements are at risk for one or more of the following consequences:
 - Receive a citation for regulatory noncompliance and enforcement of applicable civil penalties.
 - Suspension of their UAS-NY account.
 - Breach of their HCS account.
 - Referral to the New York State Office of the Professions.
 - Referral to the New York State Office of the Medicaid Inspector General (OMIG).
 - Request and/or requirement to self-report to the OMIG which may result in repayment due to invalid assessments and/or other consequences as set by the OMIG.

Facilities are encouraged to maintain written policies and procedures associated with conducting a UAS-NY CHA and routinely review those policies and procedures with staff to ensure compliance with all applicable governing laws, regulations, and policies. Questions concerning the UAS-NY should be directed to the UAS-NY Support Desk at (518) 408-1021 or via email at uasny@health.ny.gov.

If you have any questions regarding this correspondence, please contact the Division of Adult Care Facilities and Assisted Living Surveillance at (518) 408-1133 or via email to acfinfo@health.ny.gov.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Hayes". The signature is fluid and cursive, with the first name "Heidi" and last name "Hayes" clearly distinguishable.

Heidi L. Hayes, Acting Director
Division of Adult Care Facility and
Assisted Living Surveillance

cc: B. Barrington
P. Hasan
N. Nickason
J. Pinto
J. VanDyke
D. Persico
K. Kodra
L. Earle
L. Howard
L. D'Orazio
R. Chang