

# Welcome to CHA's Community Benefit Webinar:

## Assessing and Addressing Community Health Needs

Oct. 25, 2011 | Noon – 1:30 p.m. ET

The webinar will start shortly. Thank you for joining us.



*A Passionate Voice for Compassionate Care*

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### Assessing and Addressing Community Health Needs



**In 1866, to respond to the diphtheria, yellow fever and typhoid epidemics, three French Sisters of the Incarnate Word came to Galveston, TX. When they arrived, they learned that not only were they needed to care for victims of disease, but for the children who had been orphaned by the epidemics. By 1900, there were 10 sisters and 93 orphans. That year, all but three of the orphans and all of sisters, including Sr. Vincent Cottier, pictured here, perished when a tidal wave struck Galveston. Every year, leaders of the hospital the sisters started asking: If those sisters were here today, what would they see, what would they do?**

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## Your Presenter for Today's Program

**Preston Quesenberry** is an attorney with the Exempt Organizations Branch in TEGE at the Office of the Chief Counsel of the IRS in Washington D.C. He has been engaged in a broad range of exempt organizations matters at the IRS such as health care, UBIT, and supporting organizations. Prior to his government service, Mr. Quesenberry worked as an exempt organizations attorney at Caplin & Drysdale in Washington, D.C., as a tax attorney at Skadden, Arps, Slate, Meagher & Flom in Washington, D.C., and as a clerk to the honorable Diana G. Motz on the U.S. 4<sup>th</sup> Circuit Court of Appeals. Mr. Quesenberry earned his juris doctor at Yale Law School in 2003. He earned a master of arts degree from Emory University in 1996 and a bachelor of arts degree from Duke University in 1992.

# Assessing and Addressing Community Health Needs

October 25, 2011

Catholic Health Association/VHA Inc. Webinar



*A Passionate Voice for Compassionate Care*

## Polling Question

What best describes your organization?

- ☐ We conduct community health needs assessments on a regular basis
- ☐ We recently completed our first community health needs assessment
- ☐ We are currently conducting a community health needs assessment
- ☐ We are waiting for IRS guidance before we begin
- ☐ I have no idea!

## Polling Question

What best describes your community health needs assessment strategy?

- ☐ We will do our own
- ☐ We will partner with other hospitals
- ☐ We will partner with local health department
- ☐ We will have multiple partners
- ☐ Have not decided

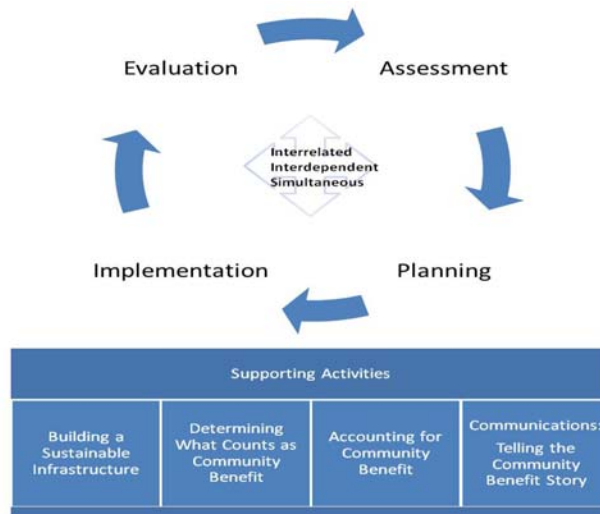
## Polling Question

Do you plan to publicize your assessment on your website?

☐ Yes

☐ No, do not have a website

## Community Benefit Framework



## Definitions

- **IRS definition:** A community health needs assessment is an assessment of the health needs of the community
- **CHA Community Health Needs Assessment Workbook:** A community health needs assessment is a systematic process involving the community, to identify and analyze community health needs and assets in order to prioritize, plan and act upon unmet community health needs

## Resources

- **CHA's *Assessing and Addressing Community Health Needs***  
[http://chausa.org/assessing\\_and\\_addressing\\_community\\_health\\_needs.aspx](http://chausa.org/assessing_and_addressing_community_health_needs.aspx)
  - VHA Community Benefit Resources – Process steps, content and reporting -- <https://www.vha.com/aboutVHA/communitybenefit>
- **2010 IRS 990, Schedule H**
  - 990 H Instructions -- <http://www.irs.gov/pub/irs-pdf/i990sh.pdf>
  - 990 H Form -- <http://www.irs.gov/pub/irs-pdf/f990sh.pdf>
- **IRS Notice 2011-52** -- <http://www.irs.gov/pub/irs-drop/n-11-52.pdf>
  - (Released July 7, 2011)

## Resources

- Association for Community Health Improvement (ACHI),  
**Community Needs Assessment Toolkit**  
[www.communityhlth.org](http://www.communityhlth.org)
- Healthy Communities Network, **web-based community health assessment** <http://healthycommunitiesinstitute.com>
- National Association of County and City health Officials,  
**Mobilizing for Action Through Planning and Partnerships (MAPP)**  
<http://www.naccho.org/topics/infrastructure/MAPP/index.cfm>

## History

- Mission
- State Requirements
  - 12 states – CHNA
  - 6 states – plans
- IRS – since 2008
- Affordable Care Act - 2010

## IRS 990, Schedule H



“To be reported (as community health improvement service), community need for the activity or program must be established.

Community need can be demonstrated through the following:

- A community needs assessment developed or accessed by the organization
- Documentation that demonstrated community need or a request from a public agency or community group was the basis for initiating or continuing the activity or programs
- The involvement of unrelated collaborative tax-exempt or government organizations as partners in the activity or program”

## IRS 990, Schedule H



**Schedule H (Form 990) 2010** Page **4**

**Part V Facility Information (Continued)**  
**Section A Facility Policies and Practices**  
 (Complete a separate Section A for each of the hospital facilities listed in Part V, Section A)

Name of Hospital Facility \_\_\_\_\_

Line Number of Hospital Facility (from Schedule H, Part V, Section A) \_\_\_\_\_

**Community Health Needs Assessment (Lines 1 through 7 are optional for 2010)**

**1** During the tax year or any prior tax year, did the hospital facility conduct a community health needs assessment (Needs Assessment)? If "No," skip to line 8. **1**

If "Yes," indicate what the Needs Assessment describes (check all that apply):

**a** ☐ A definition of the community served by the hospital facility

**b** ☐ Demographics of the community

**c** ☐ Existing health care facilities and resources within the community that are available to respond to the health needs of the community

**d** ☐ How data was obtained

**e** ☐ The health needs of the community

**f** ☐ Primary and chronic disease needs and other health issues of uninsured persons, low-income persons, and minority groups

**g** ☐ The process for identifying and prioritizing community health needs and services to meet the community health needs

**h** ☐ The process for consulting with persons representing the community's interests

**i** ☐ Information gaps that limit the hospital facility's ability to assess all of the community's health needs

**j** ☐ Other (describe in Part VI) \_\_\_\_\_

**2** Indicate the tax year the hospital facility last conducted a Needs Assessment: **20** \_\_\_\_\_

**3** In conducting its most recent Needs Assessment, did the hospital facility take into account input from persons who represent the community served by that hospital facility? If "Yes," describe in Part VI how the hospital facility took into account input from persons who represent the community, and identify the persons the hospital facility consulted. **3**

**4** Was the hospital facility's Needs Assessment conducted with one or more other hospital facilities? If "Yes," list the other hospital facilities in Part VI. **4**

**5** Did the hospital facility make its Needs Assessment widely available to the public? **5**

If "Yes," indicate how the Needs Assessment was made widely available (check all that apply):

**a** ☐ Hospital facility's website

**b** ☐ Available upon request from the hospital facility

**c** ☐ Other (describe in Part VI) \_\_\_\_\_

**6** If the hospital facility addressed needs identified in its most recently conducted Needs Assessment, indicate how (check all that apply):

**a** ☐ Adoption of an implementation strategy to address the health needs of the hospital facility's community

**b** ☐ Execution of the implementation strategy

**c** ☐ Participation in the execution of a community-wide community benefit plan

**d** ☐ Inclusion of a community benefit section in operational plans

**e** ☐ Adoption of a budget for provision of services that address the needs identified in the Needs Assessment

**f** ☐ Prioritization of health needs in the community

**g** ☐ Prioritization of services that the hospital facility will undertake to meet health needs in its community

**h** ☐ Other (describe in Part VI) \_\_\_\_\_

**7** Did the hospital facility address all of the needs identified in its most recently conducted Needs Assessment? If "Yes," explain in Part VI which needs it has not addressed and the reasons why it has not addressed such needs. **7**

**Financial Assistance Policy**

**8** Did the hospital facility have in place during the tax year a written financial assistance policy that: **8**

**a** ☐ Explains eligibility criteria for financial assistance, and whether such assistance includes free or discounted care?

**9** ☐ Uses federal poverty guidelines (FPG) to determine eligibility for providing the care to low-income individuals? **9**

If "Yes," indicate the FPG family income limit for eligibility for free care: \_\_\_\_\_ %

Schedule H (Form 990) 2010

## IRS 990, Schedule H



**Part VII** **Supplemental Information** page 8

Complete this part to provide the following information.

- 1 **Required descriptions.** Provide the descriptions required for Part I, lines 5c, 6a, and 7; Part II, lines 4, 5, and 6b; and Part IV, Section II, lines 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100.
- 2 **Needs assessment.** Describe how the organization assesses the health care needs of the communities it serves, in addition to any needs assessments reported in Part IV, Section II.
- 3 **Patient education of eligibility for assistance.** Describe how the organization informs and educates patients and persons who may be asked for patient care about their eligibility for assistance under federal, state, or local government programs or under the organization's financial assistance policy.
- 4 **Community information.** Describe the community the organization serves, taking into account the geographic area and demographic constituents it serves.
- 5 **Promotion of community health.** Provide any other information important to describing how the organization's hospital facilities or other health care facilities further its exempt purpose by promoting the health of the community (e.g., open medical staff, community board, use of capital funds, etc.).
- 6 **Affiliated health care system.** If the organization is part of an affiliated health care system, describe the respective roles of the organization and its affiliates in promoting the health of the communities served.
- 7 **State filing of community benefit report.** If applicable, identify all states with which the organization, or a related organization, files a community benefit report.

## Affordable Care Act



Pub. L. No. 111-148  
Signed Mar. 23, 2010

Amended by the Health Care & Education Affordability  
Reconciliation Act, which was signed into law March 30th

Applies to any Section 501(c)(3) organization operating a state-licensed  
hospital or otherwise having hospital care as its principal purpose or function.  
Requirements apply to each facility



### ACA Requirements – Community Health Needs Assessment

- At least once every three years – 1<sup>st</sup> must be completed by end of tax year beginning after March 23, 2012
- Include input from persons who represent the broad interest of the community
- Include input from persons having public health knowledge or expertise

### ACA Requirements – Community Health Needs Assessment

- Make assessment widely available to the public
- Adopt a written implementation strategy to address identified community needs
- Failure to comply results in excise tax penalty of \$50,000 per year

## Notice and Request for Comments Regarding the Community Health Needs Assessment Requirements for Tax Exempt Hospitals

- Section 1 - Purpose
- Section 2 - Background
- Section 3 - Anticipated Regulatory Provisions
- Section 4 - Reliance
- Section 5 - Request for Comments
- Section 6 - Drafting Information

## Section 3 - Anticipated Regulatory Provisions

- 01 - Hospital Organizations Required to Meet the CHNA Requirements
- 02 - Hospital Organizations with Multiple Hospital Facilities
- 03 - Documentation of a CHNA
- 04 - How and When a CHNA is "Conducted"
- 05 - Community Served by a Hospital Facility
- 06 - Persons Representing the Broad Interests of the Community

### Section 3 - Anticipated Regulatory Provisions

- 07 - Making a CHNA Widely Available to the Public
- 08 - Implementation Strategy
- 09 - How and When an Implementation Strategy is Adopted
- 10 - Excise Tax on Failures to Meet the CHNA Requirements
- 11 - Reporting Requirements Related to CHNAs
- 12 - Effective Dates

# Q&A