

# **OHIO HEALTH CARE ASSOCIATION ASSISTED LIVING BOARD**

**February 22, 2023, 1:00 p.m.  
Zoom Meeting**

## **M I N U T E S**

Chair Amy Francis called the meeting to order. The grid at the end of these minutes shows attendance.

The Chair pointed out the online folder of materials for the meeting, with particular attention to the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies.

Pete Van Runkle reported on the funding distributions under HB 45. The legislature appropriated \$40 million in ARPA money for assisted living, but did not specify how it was to be distributed. Along with the other associations representing assisted living, OHCA recommended dividing the pool of money into two segments, one to be distributed based on licensed RCF beds and the other based on waiver participation.

OBM, the agency responsible for disbursing the money, was focused on SNFs at the time of the board meeting because they had a deadline in statute. Assisted living and other providers would be addressed after SNFs. We were working with OBM to get them to designate SNFs as an industry impacted by the Public Health Emergency because that designation would allow providers more latitude in using the money. OBM proposed a narrow approach called “premium pay.” We were working on legislation as well as persuading OBM to adopt the broader approach. We likely would have to do the same thing for assisted living. Brent Classen asked how much each RCF would receive.

Erin Hart explained that in the budget bill, HB 33, the Department of Aging proposed a higher waiver rate for memory care. The amount was not specified. The legislation included a definition of memory care that was problematic, in particular a provision for 20% higher staffing for residents with dementia. At the time of the board meeting, we were discussing the issue with the other associations. LeadingAge Ohio seemed to agree with memory care integrated throughout the building, which is what the budget bill suggested, instead of in a designated unit. Some other states had memory care rates for SNFs, but the rate was based on an assessment. Director McElroy wanted higher staffing. Ms. Hart felt it would be easier to identify additional staffing if we used the unit approach. Alternatively, providers would have to provide additional documentation. After briefing the board on this topic, Ms. Hart said she would circulate an email to gather board members’ opinions.

The Chair said some assisted living communities had residents who needed more care but were not in memory care units. Danielle Russo said staffing was based on census when some apartments were certified and some were not. Chair Francis suggested as a criterion to qualify for the memory care rate that a physician determined that the resident needed to be in a unit. She added that the integrated approach would be difficult because of the staffing issue.

Mandy Smith said ODH was embarking on five-year rule review for the RCF licensure rules. They would have stakeholder meetings and discuss each rule. Ms. Smith expressed concern that ODH might try to require RCFs to report abuse using the same process as SNFs. She asked for board members' input on regulatory relief items that we should advocate to change, bearing in mind that some requirements were statutory.

The Chair asked about surveys and reported that they had one AL survey in December at the 38-month mark. There was nothing out of the ordinary about the survey. Others had been done during 2022. Mr. Classen said his AL was 38 months out. Their SNF had a survey recently that was fairly relaxed.

Chair Francis said she agreed with holding monthly meetings during the budget process and noted that the next meeting was set tentatively for March 29. She asked board members to provide input on the memory care email and the RCF rules.

The meeting was adjourned.

Attendance:

<b>First Name</b>	<b>Last Name</b>	<b>10/28/22</b>	<b>2/22/23</b>
Brent	Classen	P	P
Amy	Francis	P	P
Charlotte	Kister	P	
Rey	Nevarez		
Matt	Pool	P	P
Shannon	Schwarm		
Danielle	Russo	P	P
Erin	Hart		P
Mandy	Smith	P	P
Pete	Van Runkle	P	P