

OHIO HEALTH CARE ASSOCIATION ASSISTED LIVING BOARD

April 15, 2024

Zoom Meeting

MINUTES

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

The Chair noted the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies. The previous meeting minutes were approved.

Erin Hart expressed her concerns about the Department of Aging's (ODA) rule changes for memory care units, stating that the draft changes issued in March were unhelpful and failed to address key issues. She noted that the ODA had not incorporated any suggested changes and was not providing clear guidance, causing compliance issues. Erin also highlighted that the ODA had filed an amendment with the CMS to secure the critical access rate but had not issued any draft rules or instructions for implementation. Additionally, Erin clarified staffing ratios for memory care and confirmed that she had received a legal response regarding the ratios, which she forwarded to Amy. The team also discussed compliance issues and the need for a survey to establish the default staffing for a basic assisted living service.

Mandy Smith discussed the delay in receiving public hearing dates, which were supposed to be released after the ODH meeting on Thursday. Pete Van Runkle confirmed that the dates had not been filed yet. Ms. Smith also expressed concern about the lack of clarity on the infection preventionist language in the proposed rules, requesting the exact language to ensure it matched OHCA comments. In addition, Amy Francis shared details of a recent resident complaint survey, highlighting the need for better communication and management of case managers. The team agreed on the need for improved communication and clarity in the reporting process.

The team discussed the challenges caused by the delayed release of 2023 annual RCF data by ODH, which was essential for identifying penalized facilities and preparing real and present danger citations for the second half of the year. Ms. Hart reported on the upscaling model, indicating that six provider organizations had started the pilot, with three more expressing interest. She also mentioned an upcoming launch of a new upscaling program in June and ongoing efforts to secure certification funding. Julie Simpkins provided a federal update, highlighting an upcoming Senate hearing on the workforce, potential changes to the expanding Veterans options for Long-term Care Act, and NCAL's work with a coalition on infection control and emergency preparedness.

Despite opposition from most provider organizations, Mr. Van Runkle discussed the 'Never Alone' Act, a legislative proposal aimed at granting family members more access to healthcare

facilities. He indicated that Todd Bergdoll was gathering support to either stop the bill or lessen its impact amidst political pressure to advance it. Ms. Smith brought up a related issue from a past 5-Year Rule Review concerning potential issues for facilities with family members staying the night, which is regulated under short-term housing through the Department of Commerce, underscoring the need for proactive engagement due to its potential for gaining traction in the General Assembly.

Mr. Van Runkle discussed the new "Next Generation, My Care Ohio" program, which is set to replace the current My Care program by January 2025. The new program is being implemented with a different legal arrangement and is being promoted as being similar to My Care but with some improvements. However, concerns were raised about the continued forced participation in Medicaid for those who choose not to participate in Medicare. He also mentioned that the state is holding webinars for providers and beneficiaries to promote the new program. An outline of suggestions to make the new program more palatable will be presented to the OHCA board on Thursday.

Ms. Smith led the discussion about the upcoming convention. Due to the increased number of AL companies showing interest in Ohio, a proposed change to the OHCA bylaws would expand the AL board. She encouraged all board members to attend and reminded them of the headshot station for updated website images. She also mentioned a golf outing sponsorship opportunity and asked anyone interested in attending to provide their information. The conversation ended with a reminder about upcoming meetings and an anticipation of seeing everyone at the convention.

Next Meetings: Third Monday every other month at 3 PM

June 17, 2024

August 19, 2024

October 21, 2024

December 16, 2024

The Meeting was adjourned.

Attendance:

First Name	Last Name	10/28/22	2/22/23	4/15/24
Brent	Classen	P	P	P
Amy	Francis	P	P	P
Charlotte	Kister	P		
Jody	Linton			
Matt	Pool	P	P	P
Shannon	Schwarm			
Danielle	Russo	P	P	P
Julie	Simpkins			P
Erin	Hart		P	P
Mandy	Smith	P	P	P
Pete	Van Runkle	P	P	P