

OHIO HEALTH CARE ASSOCIATION WORKFORCE COMMITTEE

July 14, 2025, 1:00 p.m.

MEETING MINUTES

Chair John Goodman welcomed committee members to the call and pointed to the conflict of interest, antitrust and confidentiality policies. Committee members Melissa Courtcock and Eileen Kilbane approved the June meeting minutes. Attendance can be found at the bottom of this document.

Erin Hart then discussed the federal reconciliation bill, “One Big Beautiful Bill Act” or “OBBBA” which is now signed into law. She explained that Ohio will lose a significant revenue source due to the elimination of a managed care tax waiver, requiring the state to find alternative ways to generate \$3 billion annually. She also highlighted that starting in 2028, the hospital provider tax increase used to fund home and community-based services rate increases will be phased out, adding to the state's financial challenges. She stated that OHCA is working with the administration to develop solutions, avoid rate cuts, and maintain essential programs. She encouraged committee members to join upcoming legislative visits in August to advocate for members of congress to support an extended transition period of 3 years for the managed care tax, as the current proposed rule did not include the full flexibility passed in the OBBBA.

Ms. Hart also noted that the OBBBA has several other provisions impacting our member workforce outside of Medicaid revenues and healthcare-related taxes. She described a new waiver authority for states to apply to cover HCBS for patients that do not meet an institutional level of care. The waiver period will not open until 2028, and she asked committee members to begin brainstorming on different services we may wish to offer. She also noted the Rural Health Fund, which would not have much impact on our members unless owned by a qualifying entity. Lastly, she highlighted that Medicaid eligibility processes were changing for the expansion population, which many direct care workers have for their health insurance. Retroactive eligibility would change from 3 to 1 month (and 2 months for all other Medicaid consumers) and redeterminations would be required every 6 months starting in 2027. She also discussed the implementation of a 10-year moratorium on minimum staffing rules, which she noted would likely become a moot point by 2035 due to ongoing legal battles. She also mentioned that Medicaid work requirements would begin in January 2027, with Ohio potentially implementing its own requirements as early as January 2026. While some view these requirements as positive for workforce development, she expressed concern about potential staffing losses for PRN employees who may not meet the requirements.

Ms. Hart then discussed the Medicare revalidation deadline, emphasizing that less than half of nursing facilities have been submitted, with Medicare payments stopping for non-submitters. She encouraged immediate submission to avoid payment disruptions. She also covered the Department of Labor's proposed rule on companionship exemptions for home care workers, noting that third-party employers cannot claim these exemptions. She mentioned that the Alliance for Care at Home and the Private Duty Council support the rule, and she invited feedback from members on this issue.

She then discussed the status of temporary protected status (TPS) for Haitians, noting a recent court ruling that extends their protection until February 2026, while TPS for Nicaragua and Honduras was terminated. Tammy Cassidy discussed updates to the PBJ manual, making note that remote nursing hours cannot be reported, and clarified that while salaried employees working over 40 hours can be logged, CMS will not credit these additional hours.

Diane Dietz shared several OSHA proposed rules beneficial for healthcare, including skilled nursing and assisted living, with comment periods ending September 2nd, and mentioned that OHCA is working on these issues. There are three proposed OSHA rules: the removal of medical evaluation requirements for certain respirators, the withdrawal of the COVID-19 healthcare exposure standard, and a narrowing of the general duty clause's scope. She noted that the Trump administration is attempting to limit OSHA's oversight and reverse certain COVID-19-related regulations. She encouraged comments on the proposed rules and mentioned that AHCA is examining what workplace conditions are inherent to healthcare professions, particularly regarding violence and ergonomics. John Goodman asked about the possibility of redefining N95 masks to fall outside OSHA's respirator classification, but Ms. Dietz did not expect this change to occur.

Ms. Hart then provided a recap on the outcomes of the state operating budget, which had also been finalized since the last call. She noted that the SNF private room funding had been protected, the restrictions on REIT financing had been removed, the PDPM transition issue on the conversion factor had been corrected and the resident personal needs allowance to \$75 was appropriated but the language was vetoed by the governor. She explained that the veto was due to the issues with the language that would make the change retroactive and the need for the various state agencies to figure out how to account for residents in a residential care facility, as they were not included in the calculation for the appropriation. She reassured members that Director McElroy of ODA had reaffirmed her commitment to all residents receiving the PNA increase, regardless of setting, although the dollar amount may differ. She stated that the director had shared rule development would occur in January 2026 and that we should not expect a change prior to that.

Ms. Hart also indicated that the medication aide program rules had finally been posted for public filing, after first circulation in Winter 2025. The rule changes include clarification regarding medications that can be provided by a certified medication aide including insulin, removal of the requirement that certified medication aides in a nursing home setting must first be a CNA and that certified medication aides in a residential care facility must first have one year of direct care experience in an RCF. One of the most notable changes reduces the required clock hours of instruction for the medication aide training program from one hundred twenty hours to thirty. The proposals would also eliminate language indicating that the supervised clinical practice component cannot be conducted in a nursing home that has had deficiencies related to administration of medications in the two most recent annual surveys and change this to nursing homes or residential care facilities that have been found in real and present danger. There are also exceptions established if the nursing home or RCF has been found to be in real and present danger and a plan of correction has resolved that danger.

Tammy Cassidy discussed the ongoing RN and APRN renewal process, emphasizing the importance of conducting audits to ensure all nurses' licenses are up to date. Jason Umstot reminded committee members to complete the DSP compensation survey if they hadn't already, as it is required for providers offering HPC or day and employment services. Ms. Hart concluded with updates on the caregiver

documentary, noting that the initial workbooks were nearing final review. She also highlighted workforce funding efforts through a consulting group, Thumbprint, and told committee members to expect a survey on their interest for regional grant opportunities related to upskilling. Lastly, she reminded providers of the Radley Care behavioral health pilot discussed on the previous call. She encouraged interested facilities to reach out for more information.

Hearing no other business, the meeting was adjourned.

Next Meeting: August 11, 2025 1:00 pm (Zoom)

| First Name | Last Name | 7/14/2025 |
|------------|--------------|-----------|
| Ashley | Buga | X |
| Brandi | Johnson | X |
| Cindy | Gensamer | X |
| Diane | Dietz | X |
| Eileen | Kilbane | X |
| Eric | Hutchins | X |
| Erin | Hart | X |
| Jason | Umstot | X |
| John | Goodman | X |
| Kari | Domonique | X |
| Ken | Fetterman | X |
| Kimberley | Corrigan | X |
| LaShae | Butler | X |
| LaShonda | Campbell | X |
| Mary | Riley | X |
| Megan | Schimmoeller | X |
| Melissa | Courtock | X |
| Michael | Freeman | X |
| Omar | Hamed | X |
| Pam | Cooke | X |
| Peter | Lienert | X |
| Sarah | Sonego | X |
| Tammy | Cassidy | X |
| Victoria | Barkin | X |

