

## **OHIO HEALTH CARE ASSOCIATION WORKFORCE COMMITTEE**

**June 16, 2025, 1:00 p.m.**

### **MEETING MINUTES**

OHCA staff member Erin Hart welcomed committee members to the call and pointed to the conflict of interest, antitrust and confidentiality policies. She stated that Chair Goodman was unable to attend the meeting and pointed to the written update provided in lieu of the meeting in May. Attendance can be found at the bottom of this document. Pete Van Runkle opened the meeting by introducing our new team member, Tammy Cassidy, who would be serving as Regulatory Director.

Debbie Jenkins then discussed the federal reconciliation bill, “One Big Beautiful Bill Act” or “OBBBA” which is now pending in the Senate. She stated that it was expected that the Senate finance committee would release language later in the day, and that congress was pushing for a July 4 deadline. Language that was passed in the House would place a moratorium on new provider taxes, requiring Ohio to enact the increased Hospital provider tax included in the current state budget bill prior to the enactment of the OBBBA. We also have an issue with a provision that would prohibit the use of a waiver that Ohio currently utilizes related to managed care taxes. All told, the potential funding to the Ohio Medicaid budget is around \$5 billion. It is possible that Ohio will have to cut provider reimbursements to fill the gap in Medicaid funding.

Ms. Jenkins then discussed the Office of Management and Budget (OMB) request for deregulation, which OHCA submitted comments on. Workforce items include rolling back the Department of Labor Overtime Rule and the Federal Trade Commission Non-Compete Ban. There were numerous membership specific items, such as revisions to payroll-based journal reporting requirements allowing for all hours worked and including positions that contribute to clinical care of our residents in SNFs. In a recent meeting, CMS indicated that they had not yet received comments from OMB on their rules. The Department of Health and Human Services has a similar request that we will also submit comments on.

Ms. Jenkins provided an update on the CMS minimum staffing rule litigation impacting SNF providers. In April, the courts sided with AHCA/NCAL. However, the federal government recently appealed this ruling. Our interpretation is that the government needed the rule to be in appeal status to include it as a pay-for savings items in the OBBBA. We do not expect the federal government to win their appeal.

Ms. Hart discussed the related nursing home staffing campaign, noting that the efforts had been paused. Shortly after the federal government appealed the ruling mentioned previously, they informed AHCA/NCAL and other long term care associations that they are restarting efforts on this project. She expects that CMS will release information soon on financial administrator eligibility for the program. She reminded members that the funding was for student loan repayment for specifically designated shortage areas and that the list of areas and facilities had not yet been released.

Ms. Hart also provided an update on immigration issues. She stated that the Supreme court allowed removal of protected status of Venezuelans and termination of the Cuban, Haitian, Nicaraguan,

Venezuelan humanitarian parole program, CHNV. She also stated that there are 12 countries under travel bans with 36 more under consideration. She encouraged committee members who have workers with specific visas to track those visas for potential disruption. Lastly, she indicated that there had been targeted workplace raids in hospitality and farm industry which the president recently ordered to be halted. She asked committee members who were concerned about ICE raids to reach out to her for copies of the resources provided by The Alliance for Care at Home.

Ms. Hart also covered upcoming implementation dates for non-discrimination rules in health programs, which took effect on July 8, 2024, and had a second round of compliance requirements on July 5, 2025. She emphasized the importance of reviewing AHCA/NCALs resources to ensure compliance. Additionally, she addressed the CNA Workforce Improvement Act, which would allow CNAs with two years of nursing experience to supervise CNA training. She indicated that this had been a long-standing issue that required federal rule revision to address. Lastly, she shared results from the National Nursing Workforce Survey, noting a rebound in the average age of nurses to 50, but continued concerns about experienced nurses leaving the profession.

Mr Van Runkle provided an update on the senate passed version of the state budget. He noted that the private room language had been restored, removing the 15,000-bed cap. He reminded committee members that the \$160 million expenditure cap was still in place and could cause issues in future years. He also stated that the OHCA technical amendment correcting the case-mix scores for the transition to PDPM was incorporated into the senate version, averting an unintentional cut to nursing facility rates. Lastly, he noted that the increase in the personal needs allowance that had been in the executive and house versions of the budget was removed in the senate. Since this is an item of difference, it could be addressed in conference committee.

Tammy Cassidy discussed several HR and workforce-related changes in the new NF licensure rules, including requirements for reporting inadequate staffing based on resident acuity and the facility assessment. She also reviewed a clarification about disqualifying offenses. She highlighted that facilities with 100 or more residents must have full-time administrators, which could impact providers managing turnover or extended leaves. She also noted that the rules now require infection preventionists and changed "administrator in training" to "administrator resident."

Ms. Cassidy then explained the new two-year renewal cycle for LNHA certifications, which requires 40 CEUs and a \$600 fee for those with last names M-Z renewing in 2026, while those with A-L will renew every two years starting 2026 with 40 CEUs needed by December 31, 2025. Mr. Van Runkle clarified in chat that the fees were increased to \$800 in the pending budget legislation.

Ms. Hart mentioned that OHCA is actively working with the Department of Health to update rules from Senate Bill 144, which involves NATCEP program changes and medication needs, but the process is still pending finalization since February. She noted that primary impacts for providers were the ability for nursing facilities to proctor testing, allowing for educational institutions to administer the state-test and allowing RNs without long term care experience to be instructors if the program is administered by an RN who otherwise meets the long-term care requirements.

Ms. Hart also stated that a consulting group that OHCA was working with, Thumbprint Consulting, would be providing incumbent worker training grant webinars for OHCA members in July. Debbie Jenkins

provided an update on the DSP Compensation Survey, indicating that only 34% of providers had completed it thus far and submissions were due June 25. She urged providers to complete this survey, as it is necessary to demonstrate that the rate increases were resultant in wage increases.

Ms. Hart then provided several association updates. She noted that the docuseries, People Worth Caring About, was now live on YouTube and the OHCA website. She asked if there were any additional committee members that would like to work on the accompanying workbooks for HR professionals and to use in student education regarding working in long term care.

Ms. Hart mentioned Thumbprint Consulting again, indicating that OHCA had contracted with this entity to gather private grant dollars to fund the credential reimbursement for employee upskilling for OHCA members, since the ODA SilverSkills program did not make it into the budget this year. She noted that Thumbprint had committed to identifying and applying for grants within the first 90 days.

Ms. Hart also informed committee members about an upcoming opportunity to participate in a pilot with Radley Care, who is looking for SNF providers to partner with on adopting peer support services for behavioral health into their care plan. She asked interested providers to reach out to her for more information.

Lastly, Ms. Hart mentioned that the early bird deadline rates for the AHCA/NCAI national convention October 19-22 in Las Vegas, NV ended the following day.

Hearing no other business, the meeting was adjourned.

Next Meeting: July 14, 2025

Attendance:

First Name	Last Name	6/16/2025
Amy	Allen	X
Ashley	Buga	X
Brandi	Johnson	X
Chris	Stach	X
Debbie	Jenkins	X
Diane	Dietz	X
Erin	Hart	X
Gina	Cappitti	X
Heidi	McCoy	X
Jason	Umstot	X
Jeremy	Monroe	X
Melissa	Courtock	X
N	Cubbison	X
Pam	Cooke	X
Pete	Van Runkle	X

Peter	Lienert	X
Rob	Pivonka	X
Steve	Miller	X
Tammy	Cassidy	X