

**OHIO HEALTH CARE ASSOCIATION
REGULATORY COMMITTEE**

June 5, 2025, 12:30 p.m.
Zoom Meeting

MINUTES

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

The Chair asked if there were any questions related to the minutes of the previous meeting. None were noted.

Motion: To approve the minutes of the previous meeting.
Seconded; motion carried.

Chair Rapp asked the committee about recent survey experiences. Jennifer Crowley shared unusual surveyor interactions during an annual survey in March. Surveyor arrival dates were staggered, the team left multiple times without alerting leadership, there was very little communication between the survey team and the community, and exit was delayed. The exit was completed via phone and resulted in 16 citations. Only 10 citations were indicated on the 2567, but one was cited at a harm level, which was not previously mentioned. “Smart” glasses, worn by a leadership member was a hot topic of conversation with the surveyors. Concerns regarding inaccurate 2567 statements were noted by Ms. Crowley and April Queener. They indicated staff members were misquoted, or the number of interviews were misrepresented. Kitchen observations were a focus noted by Ms. Crowley and Chair Rapp. Chair Rapp indicated falls were also a focus on a recent survey. Falls were cited in addition to inaccurate medical records because the survey team did not see a root cause analysis following the fall incident. Heidi McCoy shared insights on kitchen observation and altered diets, from a dietician perspective.

Heidi McCoy provided survey statistics, noting that 397 Ohio facilities were over 15.9 months for annuals. This is 43% of the state. In the region, the state with the next highest number of facilities out of compliance is Wisconsin, with only 8 communities beyond 15.9 months. 249 facilities were over 24 months, and 16 facilities are over 36 months. She mentioned that 41 annual surveys have been conducted, and 163 complaint surveys were conducted. The number of annual surveys is below the stated goal of the Ohio Department of Health, which is 55 to 60. In 2023, the number of annual surveys in Ohio was 33%. In 2025, the average is currently 35%, so there is little progress. Trista Piccirilli indicated one of her communities is undergoing a federal oversight survey. The facility was over 3 years from their last annual.

Debbie Jenkins shared that part of the new federal budget would ask states to focus more on complaints, which make it difficult for states to catch up on annuals. Ms. Jenkins also shared that survey data from CMS has been updated, with the most recent information from March due to data delays. This information will also be shared in News Bites.

Debbie Jenkins provided an update on state related information. She shared that Pete Van Runkle is currently testifying on the state budget. OHCA also provided a written testimony earlier. The deadline for amendments to the budget is Friday, with the omnibus expected next week, followed by a vote by the Senate. The Senate version of the bill did remove the private room cap. It did not address the PDPM

transition or components of PDPM which will be used for Medicaid rates. Ms. Jenkins explained how a possible transition scenario, beginning with January 2026 rate setting, would take place. She stressed that the transition has not been finalized and the technical problems with Medicaid rate setting would need to be resolved. She explained that the current language in the senate budget would result in a loss of \$60.00 or more for some communities due to the lack of a case mix conversion factor. OHCA is advocating for a stop loss/gain of \$5.00 per day to minimize the effects of the transition on providers. She also shared that REIT language was not added back in the Senate version of the bill. A link to the budget bill and the comp doc is provided in the meeting agenda.

Debbie Jenkins shared that OHCA comments on the proposed licensure rule amendments have been submitted. A link to the comments is provided in the meeting agenda. Additional discussion was had regarding expansion of self-reported incidents. In the proposed rule, facilities would also be required to report elopement, cash on delivery concerns, vendor cancellations, availability of food and utilities. This expansion is beyond the federal requirement and would add additional burden to facilities, but also to surveyors, as they would need to investigate each incident.

Debbie Jenkins reported on federal updates. She shared that the House has passed their version of the reconciliation bill. Medicaid remains a primary concern for facilities. In this bill, a 10-year moratorium was placed on minimum staffing. She did point out that CMS appealed the minimum staffing ruling, and explained why they may have appealed this decision.

Debbie Jenkins urged the Committee members to submit any other comments for deregulation so they can be submitted. She also reminded the Committee that any requests need to focus on federal regulations, not state, and cannot change statute, such as the State Operations Manual.

Erin Hart clarified new regulations related to third-party guarantees. Communities cannot ask, or imply, that a third party would be responsible for payment. This is a practice that could now result in citations. She asked the Committee members to reach out to her with any questions.

Tammy Cassidy shared MDS updates. On 05/23/2025, CMS published new draft MDS forms which remove Section R. Ms. Cassidy cautioned that the FY 2026 proposed rule is not finalized, so there is still a possibility that section R could be reinstated. Ms. Cassidy also shared recent Myers and Stauffer documentation requests during Schizophrenia audits.

Amanda Brock shared that her organization is seeing more Assisted Living complaints than in previous months.

April Queener shared the results of recent IDRs at her communities. One incident was originally cited under F602 (Abuse) but was changed to F567 (Resident funds). The scope and severity was also changed from an F level to a D level. They were also able to remove an antipsychotic citation completely through the IDR process. Ms. Queener reiterated concerns with false information on the 2567, which they addressed on the IDR.

Jennifer Crowley shared that during a recent survey the team lead indicated she was warned by the rest of the surveyors that Jennifer could be difficult and not trust worthy. She felt this was inappropriate.

April Queener and Jennifer Crowley indicated they will send information regarding specific circumstances and surveyors to Tammy Cassidy, in order to identify any trends.

Pete Van Runkle shared that we have not received clarification from Ohio Department of Health regarding discharges and transfers. He will update the committee when additional information is available.

Sarah Koch asked for clarification related to the need for a physician signature on hospital paper work. She expressed frustration that the risk is on skilled nursing facilities if they admit someone without a signature, with no risk to the hospital. She will follow up with Diane Dietz as needed for additional information.

The Chair announced that the next meeting was scheduled for July 3rd.

The meeting was adjourned.

Attendance:

Last Name	First Name	7/11/24	8/8/24	9/5/24	10/3/24	11/7/24	12/12/24	1/2/25	2/6/25	3/13/25	4/10/25	5/1/25	6/5/2025
Abraham	Joe			P		P	P		P	P		P	P
Adkins	Dee												
Allen	Amy		P	P	P	P	P		P	P	P	P	P
Anderson	Josh							P					
Asher	Bryan	P	P			P			P		P		P
Beatrice	Edward	P		P	P	P		P	P		P	P	P
Bell	Kayla				P		P						
Bookshar	Dawn	P	P	P	P	P							
Bower	Danielle	P											
Bower	Scott												
Brock	Amanda		P	P	P	P		P	P	P	P		
Butler	Lashea	P		P	P		P		P	P		P	P
Cahill	Tim												
Campbell	Pam												
Campbell	Tuesdie			P	P	P	P	P	P		P	P	P
Carter	Linda												
Cassidy	Tammy			P					P	P	P	P	P
Cooper	Jillian											P	P
Costello	Colleen	P		P	P						P		
Coury	Eli	P		P		P							
Craycraft	Shane								P				
Crowley	Jennifer	P			P		P						P
DeBerry	Guinevere					P		P					
Dietz	Diane	P		P	P	P	P					P	P
Dobbelare	Lisa												
Dorn	Josh								P	P	P	P	P
Douglas	Cassie	P						P	P				
Fidram	Anthony												
Fogle	Heather	P											
Francisco	Teresa				P	P					P	P	
Freas	Heidi		P							P		P	P
Grimm	Jarrod												
Hall	Bonnie				P		P	P	P		P		P
Hall	Tiffany	P	P		P		P		P	P			
Hamblen	Cathy	P	P	P		P		P	P	P	P		
Hamilton	Lisa		P	P	P	P		P					
Hammond	Christina												
Hart	Erin	P	P	P		P	P	P	P			P	P
Havenar	Janell		P										
Heineman	Lorelei			P									
Heller	David	P											
Humenik	Theresa			P		P		P	P	P		P	
Jablonski	Nicole		P	P		P					P	P	P
Jenkins	Debbie	P	P			P	P	P	P	P	P	P	P
Johnson	Cindy			P	P		P	P	P	P			
Kennedy	Keith												
Kenney	Christine	P	P		P								
Koch	Sarah	P	P	P		P	P	P	P			P	P

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