

OHIO HEALTH CARE ASSOCIATION REGULATORY COMMITTEE

**March 13, 2025, 12:30 p.m.
Zoom Meeting**

M I N U T E S

In the absence of Chair Santanna Rapp, Pete Van Runkle called the meeting to order. The table at the end of these minutes shows attendance. Mr. Van Runkle explained that materials pertaining to the agenda items were linked to those items instead of being placed in a secured folder.

Mr. Van Runkle said the agenda linked to the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies and briefly explained them.

The committee approved the minutes of the previous meeting by consent.

Mr. Van Runkle announced that Chris Meinke from ODH's PREP program was on the call as a guest of the committee.

Tammy Cassidy said recent surveys for her clients focused on psychotropics, including that the medication is used as a last resort, and infection control, particularly EBPs. Surveyors weren't comfortable with the regulations on EBPs, so facilities had to educate them. Joe Abraham commented in chat that EBPs should go away, as they negatively affected resident dignity.

Heidi McCoy gave the most recent survey statistics from QCOR. Ohio at the time of the committee meeting still had 491 facilities more than 15 months out from their last annual, 287 more than 24 months out, and 5 more than 36 months out. However, only a handful of the surveys reported in QCOR were from February. In January, ODH did 43 annuals, 480 complaint surveys, and 24 infection control surveys. Trista Piccirilli posted in chat that they had 3 buildings hitting 36 months in the next few weeks. Heidi Freas posted that they were 29 months out.

Ms. McCoy said ODH's policy change to prioritize annuals took effect in February, so we should be able to see the impact by the next committee meeting. Mr. Van Runkle asked the committee about recent annuals. Ms. Cassidy said one client had an annual going on at the time of the meeting with 7 contracted surveyors from Tennessee. Amanda Brock said they had multiple annuals with complaints attached plus stand-alone complaint surveys. Erin Overla said they had a survey with contractors, none of whom knew each other, that lasted into Friday night. Committee members confirmed that contract surveyors were not limited to southern Ohio. Multiple members posted in chat that they had annuals recently.

Mr. Van Runkle said CMS in QSO-25-14 postponed the effective date of the new survey guidelines to April 28, 2025.

The state budget bill contained provisions that would prohibit new leases of SNFs or hospitals if the building owner was a REIT. We were fighting this proposal in the House budget process. We analyzed data on the REIT-owned facilities we could identify and found that they performed no worse than the state average and in fact slightly better.

The new version of the LTC Quality Navigator was up and running. It included assisted living and information from the facility survey that ODA sent out. We had no new information about the resident and family satisfaction surveys.

Ms. Cassidy referred to the MDS question-of-the-month document linked to the agenda. Two of the items were not new or different. They related to manual correction or deactivation of a MDS and unexpected vs. planned discharges. She was seeking additional clarification on the third item relating to pressure ulcer staging and outpatient physician documentation. The document said it should be coded as unstageable because of a non-removable device or dressing under the visual observation standard. The question was whether visualization had to be by a person in the facility.

Ms. Cassidy added that exception reviews were starting again. Two of her clients were scheduled for the week after the committee meeting. They received with the notice a set of policies by Myers and Stauffer that had never been published anywhere. No one would know of them unless they had an exception review. Ms. Cassidy was investigating the policies further. Some of the items went above the RAI Manual. Per a question in chat from Erin Overla, Ms. Cassidy said the current reviews were of 4th quarter 2024.

Mr. Van Runkle said AHCA/NCAL was expecting a decision soon in the minimum staffing case. Repealing the rule also was one of the savings items Congress was considering for budget reconciliation. Reconciliation likely was on a slower timetable than the court case, but Congress still could count the savings even if the court threw out the rule. We were told it was true so long as appeals had not been exhausted when Congress acted.

When CMS restored access to monthly data publications in February, we were able to compile our 5-Star data reports. The most recent one, from the late February refresh, was linked to the agenda. The reports were good tools for facilities to see where they stood on the measures used for 5-Star. The survey points were updated monthly, the other data quarterly.

DOL recently appealed the second of two federal court decisions striking down the rule that increased the overtime exemption threshold for executive, administrative, and professional employees. They left stand the previous appeal of the first decision. The appeal was a surprise because we thought the Trump Administration would not support this regulation of business.

The original court decisions still stood, though, so the increased thresholds were not in effect as of the date of the committee meeting.

Mr. Van Runkle said the next meeting tentatively was scheduled for April 3, depending on what was going on with the budget bill.

The meeting was adjourned.

Attendance:

Last Name	First Name	7/11/2024	8/8/2024	9/5/2024	10/3/2024	11/7/2024	12/12/2024	1/2/2025	2/6/2025	3/13/2025
Abraham	Joe			P		P	P		P	P
Adkins	Dee									
Allen	Amy		P	P	P	P	P		P	P
Anderson	Josh							P		
Asher	Bryan	P	P			P			P	
Beatrice	Edward	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
Butler	Lashea	P		P	P		P		P	P
Cahill	Tim									
Campbell	Pam									
Campbell	Tuesdie			P	P	P	P	P	P	
Carter	Linda									
Cassidy	Tammy			P					P	P
Costello	Colleen	P		P	P					
Coury	Eli	P		P		P				
Craycraft	Shane								P	
Crowley	Jennifer	P			P		P			
DeBerry	Guinevere					P		P		
Dietz	Diane	P		P	P	P	P			
Dobbelare	Lisa									
Dorn	Josh								P	P
Douglas	Cassie	P						P	P	

Fidram	Anthony									
Fogle	Heather	P								
Francisco	Teresa				P	P				
Freas	Heidi		P							P
Grimm	Jarrod									
Hall	Bonnie				P		P	P	P	
Hall	Tiffany	P	P		P		P		P	P
Hamblen	Cathy	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	
Havenar	Janell		P							
Heineman	Lorelei			P						
Heller	David	P								
Humenik	Theresa			P		P		P	P	P
Jablonski	Nicole		P	P		P				
Jenkins	Debbie	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	
Kostolich	Dee									
Kuhlor	Aysha									P
Leahy	Kelly		P		P	P				
Lichtenstein	Mordecai									
Masternick	Marc									
McCoy	Heidi		P		P	P	P	P	P	P
Moore	Angie		P			P		P		
Motolik	Victoria		P		P	P	P	P	P	P
Murray	Matt	P	P		P				P	P
Nichols	Casey			P					P	
Nordhoff	Jackie							P	P	
Notter	Josephine	P	P	P	P	P		P	P	P
Overla	Erin									P
Perreault	Shanna		P							
Petrella	Bradley	P					P		P	
Piccirilli	Trista	P				P		P	P	P
Queener	April	P		P	P		P	P		P

Rapp	Santana	P		P	P	P	P	P	P	
Ratliff	Derrick	P	P	P		P	P	P	P	P
Rejonis	Carri								P	P
Remy	Teresa	P	P	P	P	P		P		
Rohrs	Jennifer	P			P	P				P
Romes	Kerri	P								
Rutherford	Seana		P							
Ryder	Gwynn	P	P	P		P		P	P	
Schmidt	Melissa									
Selnick	Blake	P	P	P	P	P	P	P	P	P
Selvey	Tammy		P	P		P			P	
Shah	Hemant			P			P			
Skul	Cassandra							P	P	P
Smith	Mandy	P			P	P				
Stewart	Hannah		P		P	P		P	P	
Stewart	Shane	P			P		P	P	P	P
Suber	Ladina		P				P		P	
Suing	Rob	P	P	P	P	P	P	P	P	P
Tapocsi	Greg									
Thompson	Trey						P	P		
Tolliver	Justin									P
Tost	Christopher	P	P	P	P	P	P	P	P	P
Uhler	Julie									P
Van Runkle	Pete	P	P	P	P	P	P	P	P	P
Vordermark	Sarah	P	P	P	P			P	P	P
Welch	Dottie				P					
Williams	Candace		P							
Wolf	Jennifer									
Youell	Valerie				P		P	P	P	
Zamudio	Jennifer		P							