

OHIO HEALTH CARE ASSOCIATION REGULATORY COMMITTEE

May 1, 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 the committee to review the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies linked to the agenda. She told committee members to reach out with any concerns.

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

Chair Rapp asked the committee about recent survey experiences. Gwynn Ryder shared that they had 4 surveys recently, two in RCFs, one in a SNF, and one complaint survey in a SNF. She disagreed with a cite for late trays. Tammy Cassidy mentioned an odd situation with a directed plan of correction for F880 and F887 when only one tag was listed in the letter.

Heidi McCoy provided survey statistics, noting that 413 Ohio facilities were over 15.9 months for annuals, 252 over 24 months, and 11 over 36 months. She mentioned that Ohio is the only state still doing infection control surveys. Trista Piccirilli, Tammy Selvey, and the Chair reported their numbers of buildings over 24 and 36 months since the last annual.

Pete Van Runkle discussed a recent quarterly meeting with ODH. They are adding 12 more surveyors. The meeting included discussion recent RPDs and IJs, with abuse and elopement being the main reasons for RPDs in RCFs and heat becoming an issue for SNFs. Mr. Van Runkle discussed discharge notices. Removal of language about resident-initiated versus facility-initiated discharges in Appendix PP caused confusion. ODH was seeking clarification from CMS on whether every discharge, even planned ones, required a notice.

We also discussed bundling complaints and information needed to avoid a complaint survey for a SRI. Jill Shonk said fully completing the new SRI form was sufficient, but depending on the circumstances, there was no guarantee that a survey would not be necessary. She maintained that surveyors' focus on psychotropics was not new and noted the minimal training provided by CMS. We brought up the policy ODH adopted last summer regarding complaints and PSRs, which broke the survey cycle if a deficiency cited on the complaint took place after the AOC date. We

also raised concerns about interpretations made by Myers and Stauffer reviewers, which were attributed to ODM. Ms. Shonk suggested a conversation with Medicaid to clarify these interpretations.

We discussed the lack of a recent meeting on Life Safety Code and EP. These meetings used to be quarterly. Ms. Shonk agreed to set up a meeting, but no specific date was given. We asked about ODH's quality conference that was initially planned for fall 2024 and then postponed to spring. Ms. Shonk said it would be scheduled for October.

Also in the ODH meeting, Leilani Pelletier discussed the ODA satisfaction surveys, stating that the evaluation reports had been completed and ODA was planning to start the surveys in the spring. She also mentioned a plan to test a short-stay survey. However, there was uncertainty about the stakeholder input process on the survey content and process.

Ms. Jenkins discussed the Never Alone Act, which became effective on March 20. She emphasized the importance of notifying residents in congregate care settings about their ability to designate an advocate. ODH published an information sheet for that purpose in March. The act was not part of the licensure requirements and thus not subject to surveys, but residents had a private right of action if there was an issue.

ODH was working on a complaint portal, which they said would be released in May. This portal would require users to obtain an OH | ID, which may make it more difficult for people to submit complaints.

Mr. Van Runkle said ODH published the SNF licensure rules for public comment by May 29. He listed key changes ODH identified and encouraged the committee to review the rules and submit comments.

Mr. Van Runkle discussed the state budget. The House removed the problematic language regarding REITs. It had not resurfaced in Senate discussions. CMS released the April data used for 5-Star. We planned to publish the day after the committee meeting our unofficial estimates of the quality points that would be used for the July 1 rate setting, based on the April data. ODM probably would not release their calculations in advance.

Ms. Jenkins reported on the lawsuit regarding minimum staffing requirements and OMB's request for information from the general public on regulations that could be reversed or revised. Responses were due May 12. AHCA/NCAL had a long list of suggestions, and we would be submitting comments too. Ms. Jenkins welcomed recommendations from committee members.

Erin Hart discussed the mandatory SNF off-cycle validation, which was postponed to August 1. Providers still had to submit revalidation applications because it was required by statute. AHCA/NCAL was targeting the sub-regulatory guidance on additional disclosable parties. Only 20% of SNFs had submitted by the deadline. Anyone who already submitted and got a request for additional documentation had to comply with the 30-day timeframe. Ms. Hart recommended

heavily documenting any extension CGS provided. The penalty for non-compliance was losing Medicare certification.

Ms. Hart said the changes to Appendix PP took effect the Monday before the committee meeting. She posted a link to a webinar we were doing on the changes to resident agreements. Other key changes included MDS scrutiny, schizophrenia, and enhanced barrier precautions. She asked committee members to let us know if they ran into problems with implementation. Mr. Van Runkle noted that AHCA/NCAL was trying to get the Appendix PP changes rescinded, but they were still in place.

Ms. Hart also mentioned the reporting deadlines for PBJ and NHSN. Jill Herron said at the time of the committee meeting, there was a problem with the PBJ system that was supposed to be fixed the following day.

Jillian Cooper raised a concern about the increased focus on psychotropics and antipsychotics and the challenges of dealing with family members or residents refusing GDRs. Chair Rapp discussed the importance of following the GDR and the chemical restraint rules and the role of the physician in prescribing or discontinuing medications. She also emphasized the need for a thorough documentation trail and the importance of advocating for residents' rights and suggested a conversation with the ombudsman about the issue.

The Chair announced that the next meeting was scheduled for June 5.

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
Abraham	Joe			P		P	P		P	P		P
Adkins	Dee											
Allen	Amy		P	P	P	P	P		P	P	P	P
Anderson	Josh							P				
Asher	Bryan	P	P			P			P		P	
Beatrice	Edward	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
Cahill	Tim											
Campbell	Pam											
Campbell	Tuesdie			P	P	P	P	P	P		P	P
Carter	Linda											
Cassidy	Tammy			P					P	P	P	P
Cooper	Jillian											P
Costello	Colleen	P		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					P
Dobbelare	Lisa											
Dorn	Josh								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
Grimm	Jarrold											
Hall	Bonnie				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
Havenar	Janell		P									
Heineman	Lorelei			P								
Heller	David	P										
Humenik	Theresa			P		P		P	P	P		P
Jablonski	Nicole		P	P		P					P	P
Jenkins	Debbie	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

Kostolich	Dee											
Kuhlor	Aysha									P		
Leahy	Kelly		P		P	P						P
Lichtenstein	Mordecai											
Masternick	Marc											
McCoy	Heidi		P		P	P	P	P	P	P	P	P
Moore	Angie		P			P		P				
Motolik	Victoria		P		P	P	P	P	P	P	P	P
Murray	Matt	P	P		P				P	P	P	
Nichols	Casey			P					P		P	
Nordhoff	Jackie							P	P		P	
Notter	Josephine	P	P	P	P	P		P	P	P		
Overla	Erin									P	P	P
Perreault	Shanna		P									
Petrella	Bradley	P					P		P			
Piccirilli	Trista	P				P		P	P	P		P
Queener	April	P		P	P		P	P		P	P	
Rapp	Santana	P		P	P	P	P	P	P		P	P
Ratliff	Derrick	P	P	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	P	
Romes	Kerri	P										
Rutherford	Seana		P									
Ryder	Gwynn	P	P	P		P		P	P		P	P
Schmidt	Melissa											
Selnick	Blake	P	P	P	P	P	P	P	P	P		P
Selvey	Tammy		P	P		P			P			P
Shah	Hemant			P			P				P	
Skul	Cassandra							P	P	P	P	
Smith	Mandy	P			P	P					P	
Stewart	Hannah		P		P	P		P	P		P	
Stewart	Shane	P			P		P	P	P	P	P	P
Suber	Ladina		P				P		P			P
Suing	Rob	P	P	P	P	P	P	P	P	P	P	
Tapocsi	Greg											
Thompson	Trey						P	P			P	P

Tolliver	Justin									P	P	P
Tost	Christopher	P	P	P	P	P	P	P	P	P	P	P
Uhler	Julie									P		
Umstot	Jason											P
Van Runkle	Pete	P	P	P	P	P	P	P	P	P	P	P
Vordermark	Sarah	P	P	P	P			P	P	P	P	
Welch	Dottie				P							
Williams	Candace		P									
Wolf	Jennifer											
Youell	Valerie				P		P	P	P			P
Zamudio	Jennifer		P								P	