

**OHIO HEALTH CARE ASSOCIATION**  
**Home Care and Hospice Board Meeting**

**January 16, 2024, 10:00am**  
**Zoom Conference Call**

**MEETING MINUTES**

Ms. Gen Stelzer opened the meeting and welcomed board members. She reminded members of the antitrust, conflict of interest and confidentiality policies located in the online folder.

Attendees included: Pete Van Runkle, Josh Anderson, Heidi McCoy, Erin Hart, Bryan Casey, Mark Knepper, Eric Talbert, Mike McConnell and Gen Stelzer.

Ms. Gen Stelzer asked for a motion to approve the minutes from the last meeting. There was a motion given, another second and the motion was approved.

Mr. Josh Anderson discussed the implementation of proposed home health rate cuts, which took effect on January 1<sup>st</sup>. He reminded Board members that the overall result was a slight increase to payments because the market basket increase offset the behavioral adjustment decrease. He mentioned the lack of immediate legislative action against these cuts as Congress is currently focused on the budget. Josh also noted that there might be potential movement on this issue later in the year due to it being an election year, either in late summer or in a lame duck session. Additionally, he mentioned the lawsuit against these cuts, which is currently in the briefing phase which is expected to conclude sometime in February. Lastly, he shared MedPAC's recommendations for home health rates, suggesting a 7% rate cut for 2025, citing high Medicare margins. MedPAC's recommendation for hospice is slightly better in that it is for rates to remain flat in 2025.

Mr. Anderson discussed a new draft of the OASIS instrument for assessments, which will be required for everyone except a few exceptions starting January 1, 2025. He mentioned that while compliance is not required until July 1, 2025, preparation should begin early. Josh also indicated that more information about the changes would be provided in an OHCA webinar scheduled for April. Ms. Stelzer stated that she did not feel the changes were significant for 2025 but feared they may be more substantial for 2026.

Ms. Heidi McCoy shared updates about the hospice special focus program. She mentioned that the algorithm for creating the special focus program list is still under legislative review and the first special focus list will not be released until the fourth quarter of this year. Mr. Mark Knepper asked for the algorithm and Ms. McCoy said she would send it out after the meeting because it was too tedious to discuss in this meeting. She mentioned the high-level items in

the algorithm and Ms. Hart and Mr. Knepper briefly discussed the HCI component. Ms. McCoy also mentioned the possibility of CMS hiring a third party for the surveys.

Mr. Pete Van Runkle discussed the issue of independent contractors, explaining the shift in the rules for classification under the Trump and Biden administrations. They mentioned that the Biden administration had reverted to the previous rules, which consider many more factors when determining if someone is an independent contractor or an employee, and this change will take effect on March 11th. Mr. Van Runkle stated that the new rule could greatly impact industries such as therapy services and nursing, where independent contractors may be more closely scrutinized. Mr. Van Runkle also mentioned plans for an OHCA webinar where legal counsel would provide explanations on how the rule might apply in various long-term services and support settings. The webinar, which would be free for members, was intended to help those concerned or interested in learning more about the new rule.

Ms. Erin Hart discussed the ongoing issues with the PNM and provided a claims update. She reported that hospice room and board was experiencing the worst impacts due to nursing facility rate loading issues. She mentioned that providers could experience an overpayment of all 2023 claims based on a December batch correction initiated by ODM which may have pulled incorrect rates or not applied patient liability. This was supposed to be corrected in January, but the reprocessing may have still used incorrect rates and/or excluded patient liability. Ms. Hart indicated she has reached out to ODM for help and also requested an extension on timely filing for 2023 due to these issues. She also mentioned a proposed dashboard that might help providers look up claims and adjustments, but that the exact information available in the dashboard is still being confirmed. Lastly, she advised those handling claims to be sure to update their rates if moving to electronic claims, especially in light of Medicaid home health rate increases to avoid being underpaid based on the “lesser of” clause which pays the lesser of the Medicaid rate or the provider’s billed rate.

Ms. Hart provided an update on the newly approved CMS rates for in-home vaccinations, emphasizing that the add-on payments are separate from the vaccines themselves and are aimed at increasing vaccination uptake, particularly among home health agencies. Ms. Hart also outlined an initiative to upscale aides, proposing three potential paths for advancement and noting the need for more home health and hospice perspectives on this issue. Erin’s also suggested the creation of a work group to gather clinical perspectives on the shortage of home health aides and the possibility of pursuing an apprenticeship model.

Mr. Anderson plugged the upcoming Ohca Convention, asking Board members for input on home care and hospice speakers and topics. He stated that OHCA will have a session from Damon Terzaghi of NAHC confirmed as a speaker for a session on Medicaid which he encouraged all to attend. There was a discussion about the need for an industry update on homecare and hospice, and the special focus program. Ms. McCoy mentioned Katie Wehri from NAHC as a potential hospice speaker. A session on preparing for a Hospice survey was also

proposed. Mr. Knepper stressed the importance of educating nursing home administrators about the benefits and nuances of hospice and addressing misconceptions and potential issues. He also proposed a 'Hospice 101' session for administrators. Furthermore, the Board discussed the need for education on the hospice benefit and the role of hospice companies. The team also touched upon the issue of new hospice companies offering services beyond the hospice benefit.

Ms. Stelzer stated the next meeting was scheduled for March 19th. She asked for any further topics of interest. Hearing none, the meeting was adjourned.