

# Meeting Summary for OHCA AL Member Call

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Quick recap

The team discussed the attendance for a meeting, with Erin experiencing technical issues which pete helped with. They proceeded with the meeting, with Mandy giving instructions on using the Zoom platform. The team then discussed the latest draft of the Rcf Licensure rules, the roles and requirements of infection preventionists in various healthcare facilities, and potential changes to the rules surrounding recreational marijuana in the state.

Summary

## Zoom and Phone Meeting Setup

The team, including Mandy, pete, and Erin, had a discussion about the attendance for a meeting. Erin encountered issues with their iPad controls, which pete assisted their with. The team decided to wait a bit longer for more participants to join and for the meeting to commence. Mandy then proceeded to give instructions on how to use the Zoom platform for those who were joining through that platform, and explained the procedure for those joining via a phone line. The meeting was expected to continue with pete and Mandy taking turns in leading the discussion.

## RCF Licensure Rules Draft and Stakeholder Meeting

Mandy discussed the latest draft of the Rcf Licensure rules, which had been filed and some concerns raised. A stakeholder meeting for the nursing facility licensure roles was scheduled for the 19th to address these concerns. Mandy encouraged those who have reviewed the rules to send their comments by the 18th. They highlighted some concerns such as the impact of nursing facility rules on Rcf roles, the requirement for an infection preventionist, and the inclusion of resident names in the incident log. Mandy also mentioned progress on another project and asked for further feedback. Erin responded to Mandy's comments.

## Infection Preventionist Roles and Requirements

Mandy and Erin discussed the roles and requirements of infection preventionists in various healthcare facilities. Mandy explained that the current requirement might necessitate an extra infection preventionist in buildings with a skilled nursing facility and assisted living facilities. pete asked if the infection preventionist could also serve other roles, and Mandy clarified that this was possible, but the nursing facility language was confusing. They also discussed the potential cost implications of these requirements, especially for smaller facilities. The group agreed that the rules were unclear and could benefit from further clarification and advocacy.

## Document Drafting, Rulemaking, and Assisted Living Waiver Concerns

pete outlined the process of drafting a fourth version of a document, with stakeholder feedback due by month's end, and the potential start of the formal rulemaking process in January. They also mentioned a webinar to discuss changes and potential revisions to the rule in the coming year. Erin then discussed concerns raised by the final rule issued for the assisted living waiver, particularly regarding the definition of a resident unit in memory care units, and the challenges it poses in demonstrating a higher staffing ratio. They emphasized the importance of careful physical plant planning when designating a memory care unit. Lastly, Erin encouraged members to submit their attestation and wait until the revised application is issued before applying for certification.

## Recreational Marijuana Rules Changes Discussed

Erin discussed the potential changes to the rules surrounding recreational marijuana in the state, particularly focusing on House Bill 86. They highlighted a provision that would allow property owners to prohibit marijuana use if they choose, which could be applicable to residential care facilities. Erin also addressed a question about whether existing smoking policies would need to be updated for edibles, suggesting that facilities might want to prohibit all THC products. Mandy added that the flower form must be vaporized for legal consumption in Ohio for medical marijuana, and it's unclear how recreational marijuana might align with this rule. pete noted that the current version of the bill allows for combustion. Erin concluded by saying that they will continue to follow developments and provide guidance as needed.

## Senate Bill Update: Marijuana Expungement and Assisted Living Changes

pete provided an update on a Senate Bill or a House Bill that had been amended and included an emergency clause. They mentioned that it might not be effective for 90 days and there would be an interim period with only the initiated statute in effect. Erin highlighted a section related to expunging criminal charges for marijuana possession, which they believed would be beneficial for their industry and help alleviate their workforce crisis. Mandy agreed but suggested improvements. pete also discussed changes to background check rules related to assisted living facilities and shared a link to a document open for review and comment for the next 30 days. They also mentioned House Bill 236, a bill focused on visitation rights in congregate settings, including assisted living facilities.

## Proposed Bill and Assisted Living Regulations

pete discussed a proposed bill that aims to establish a resident advocate in care facilities, which sparked concerns about potential conflicts with resident rights and state requirements. pete also mentioned a proposed law that could lead to changes in the assisted living industry and revealed that Jill Shavi from N. Cal is compiling a comprehensive resource on assisted living regulations across the country. They emphasized the importance of having a centralized repository of information to guide providers on various aspects of assisted living. pete concluded by reminding attendees to tune in for the next call and to expect news updates on Friday.

## Next steps

Erin will try to figure out how to use the controls on her iPad.

Members should review the fourth draft of the RCF licensing rules and send any comments to Mandy by the 18th.

Erin will send out the link for the webinar this Friday.

Mandy will look into the specific language of the revised background check rule and share it with the team if requested.

Team members are encouraged to review and provide feedback on the draft infection prevention guidelines for assisted living.

The team will monitor the progress of House Bill 236 and continue to express concerns or seek amendments as needed.