

Meeting Summary for OHCA NF Member Call

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Quick recap

The team discussed the importance of attendance and recording of meetings, with Kevin expressing regret for his absence and suggesting the inclusion of another team member. They then moved on to discuss the submission of skilled nursing facility rules for review by the Common Sense Initiative, expressing concerns about potential impacts on independent residents. The team also discussed the importance of reporting vendor issues to the state, particularly regarding pharmacy and food supplies. They also talked about new rules regarding county homes with no corporate oversight.

Summary

Meeting Procedure and Updates

pete van runkle and Mandy Smith were discussing the attendance of the meeting. They agreed to start a bit late and allow late joiners. Mandy also emphasized that the meeting would be recorded. Kevin Woodward expressed regret for his inability to attend the next day's meeting and suggested involving another team member who could participate. Pete agreed to this and mentioned that meetings were automatically recorded by an AI. Mandy then commenced the official welcome, outlining the procedure for participation. Pete took over and mentioned that there were some minor updates to be discussed.

Skilled Nursing Facility Rules Review Discussed

The team discussed the submission of the skilled nursing facility rules for review by the Common Sense Initiative. pete van runkle explained the purpose of the process, emphasizing the need to avoid imposing significant burdens on businesses. Mandy Smith highlighted some changes in the rules, expressing concerns about the new definition of 'elopement' and its potential impact on independent residents in skilled nursing facilities. The team also discussed the requirement for facilities with a hundred beds or more to have a full-time administrator, and the need for administrators to report on abuse, neglect, misappropriation, and elopement. A webinar update on these changes is planned for next Tuesday.

Vendor Issues and Assisted Living Updates

Mandy, Joe, Pete, and Kevin discussed the importance of reporting vendor issues to the state, particularly regarding pharmacy and food supplies. They clarified that the rule only applies to vendors requiring cash on delivery. The rule was established to protect residents following some unfortunate incidents. Kevin expressed concerns about state overreach in their business, but the group agreed that the state's involvement is limited to ensuring adequate supplies for the

residents. Additionally, an issue regarding not receiving assisted living news bytes was raised by Joe and Pete. They agreed that Joe's sisters, who are directors, should be included in the distribution list for these updates, and Mandy confirmed she would take care of this task.

County Home Rules Discussion: Licensing and Absence Notification

Mandy Smith, Pete van Runkle, and others discussed the new rules regarding county homes with no corporate oversight. The main point of contention was the requirement for a license Nursing Home Administrator to be present during vacations or other absences. The team also clarified that notification of absences over 10 days was required, but not for absences of less than 10 days. They also discussed the implications of these rules for homes with fewer than 100 beds versus those with 100 or more beds. The team expects these rules to be officially effective sometime this summer.

Guidance on Healthcare Visitation Clarification

Pete van Runkle discussed a new guidance on visitation in healthcare facilities from the Federal Office of Civil Rights within the Department of Health and Human Services. He noted that while the guidance is not technically a rule, it's an interpretation of existing rules and applies to federally funded and regulated facilities. Pete pointed out that the guidance is vague and confusing, especially regarding visitation rights during the Covid pandemic. He mentioned that the organization is analyzing the guidelines to provide a clearer explanation. Pete also hinted at forthcoming discussions on reimbursement-related topics.

Data Access, Validation Report, CMI Freezes, and Vent Rates Revision

Pete van Runkle discussed a resolved issue with the non-issuance of the second validation report for the fourth quarter of 2023 due to a data user agreement problem. This issue was caused by Myers and Soffer's inability to access MDS data from the Department of Health. He also touched upon the topic of CMI freezes and how they affect report generation. Towards the end, he mentioned a proposed revision of the existing rule on vent rates by the Department of Medicaid, which was discussed by a work group he and Gene put together.

Proposed Rule Change on Billing Rates Discussed

Pete van Runkle discussed a proposed rule change that has generated controversy among members, particularly regarding the billing for non-invasive events. The team is considering how to preserve members' ability to bill at a higher rate for these events, given the existing rate was theoretically crafted for invasive matters. Pete emphasized that the rule change is not yet finalized and will require significant clinical and data-based arguments to support. He also mentioned an update on private rooms, where the state has contacted CMS for preliminary information. Finally, Pete clarified a question about CMS approval on private beds, explaining that any change in the reimbursement methodology requires CMS approval.

Webinar, Medicaid, License Renewal, and Fire Marshal Inspection

pete van runkle announced a free member webinar scheduled for February 12th, similar to these regular Tuesday member calls, but not part of them. He also highlighted the enforcement of Medicaid Provider agreement revalidation by the Department of Medicaid, with consequences for non-compliance, and provided a dedicated mailbox for assistance. In addition, Pete reminded attendees about the license renewal due date for skilled nursing facilities and residential care facilities, emphasizing that it must be postmarked by February 1st to avoid penalties. Lastly, George Miu raised a concern about his license renewal being held up due to a State Fire Marshal inspection, to which Pete suggested reaching out to the Ohio Department of Health for resolution.

Next steps

Kevin will check if a team member is available to participate in the recording session.

Mandy will send Joe the recording of the RCF rule changes discussion.

George will contact ODH to get confirmation about the license renewal process.

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