

# Meeting Summary for OHCA NF Member Call

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Quick recap

The meeting discussed the Department of Medicaid's event program rule and the licensing rules for skilled nursing facilities. Pete van Runkle suggested that changes could save money compared to current spending levels. The meeting also touched on the non-invasive ventilation in care, reimbursement issues, and the importance of reporting elopement, non-payment of taxes, and inadequate supplies at nursing homes. Mandy Smith discussed the upcoming review of the SNF licensure rule, changes related to nursing home administrators, and new requirements for conducting activities of daily living, assessing skin status, and developing a baseline care plan for residents.

## Summary

### Skilled Nursing Facilities and Medicaid Event Program Rule Updates

Pete van Runkle initiated a weekly member call, outlining the agenda which included an update on the licensing rules for skilled nursing facilities from Mandy and a discussion on the Department of Medicaid's event program rule. The meeting also included updates from Pete on the event program rule from the Department of Medicaid, specifically addressing the controversy over non-invasive events. Pete mentioned that a group had provided input on potential solutions and they were working on a proposal to present to the Department. He also discussed the department's attempt to cut funding to certain providers, which has led to considerations on setting new parameters for non-invasive services. Pete suggested that these changes could potentially save money compared to current spending levels.

### Non-Invasive Ventilation and Reimbursement Concerns

Joe A and Pete van Runkle discussed the non-invasive ventilation in care, noting that the department lacks a mechanism for determining its proportion. They also touched on the reimbursement issue, with Joe A suggesting that other types of care might need to be considered. Pete mentioned an upcoming winter conference and a warning about scammers targeting professionals with phishing emails and offers to sell convention hotel rooms and attendee lists. He emphasized that any offers outside of those made through official channels are likely scams.

### Preliminary Quality Measures Data Discussed

Pete van Runkle discussed the preliminary quality measures data that Plan Moran sent out to clients. He clarified that the data is not final and will change when the final data is published in April. Pete highlighted that the adjusted total nurse staffing measure will be part of the quality incentive for the first time in July and will be included in the 25th percentile calculation. He also

mentioned that occupancy will be less valuable in the new version of the quality incentive. Pete then discussed the uncertainty around how staffing points would be calculated under Medicaid, noting that the method differs from that used by CMS. He confirmed that the plant's 28 points included staffing but acknowledged that the process might not be entirely clear to everyone.

#### Medicaid Data, Case Mix Reports, and Presentation Quality

pete van runkle discussed the resolution of an issue concerning Medicaid's difficulty in acquiring Mds data for the last quarter of 2023. He noted that facilities should have received their case mix reports, which will be used for July 1, along with the first quarter of 2024. Pete also mentioned a potential technology issue faced by Mandy. Additionally, Pete discussed the tracking of occupancy rates during the pandemic using data from HCA and NHS, noting that while the data provides a timely snapshot, it is not comprehensive. There was also a discussion about the visibility and quality of slides during a presentation, with Mandy suggesting stopping and trying again to improve the display, which was accepted by others.

#### Sniff Licensure Rule Review Discussed

Mandy Smith discussed the upcoming review of the sniff licensure rule, which is currently under the 5 Year Rule Review process. She clarified that the changes, including replacing certain words with others that mean the same, were not intended to alter the meaning. Mandy highlighted the addition of a definition for elopement, changes in the application licensure process, a fee for a change of operator license, and the expansion of the transient guest definition. She also underscored the need to report elopement, non-payment of taxes, and inadequate supplies at nursing homes. Furthermore, Mandy pointed out the obligation to notify the Department of any potential interruption of essential services or inadequate staffing. She also discussed the added requirements for administrators to report on changes in the control language and the establishment of an effective feedback system from residents and resident representatives.

#### Nursing Home Administrator Changes Discussed

Mandy Smith discussed changes related to nursing home administrators. She clarified that the requirement for administrator coverage remains the same, with 16 hours per week for nursing homes with over 100 licensed beds. However, if the administrator is overseeing both a skilled nursing facility and an RCF, they would need to work 32 hours. Mandy also pointed out the requirement for administrators to designate another staff member to act in their absence. She mentioned that the nursing home will verify each employee's home address annually and that residents have access to video conferencing services. Finally, she emphasized the need for a plan for outdoor visitation in emergencies and the addition of four assessments to the admission requirements.

#### New Requirements for Daily Living, Infection Control in Nursing Homes

Mandy Smith discussed the new requirements for conducting activities of daily living, assessing skin status, and developing a baseline care plan for residents. She emphasized the need for

comprehensive and quarterly assessments, including evaluating residents' ability to smoke without supervision. Mandy also touched on the increased focus on infection control, with nursing homes required to establish and implement policies and procedures to prevent and control infections. She mentioned the requirement for each nursing home to have an infection prevention and control coordinator who meets certain qualifications. Lastly, Mandy clarified that there have been no changes to the tuberculosis control plan since 2012.

#### Risk Management and Infection Prevention in Facilities

Mandy Smith discussed the risk for a facility and outlined the necessary steps to follow in response to that risk. She highlighted the need for a written surveillance plan, a data collection tool, timely corrective action, standards and policies for infection prevention, and the prohibition of employees with communicable diseases from direct resident contact. Mandy also discussed the increased washing hands time to 20 seconds, the water management program, the requirements for adult day care programs, and the need to report missing residents. She also mentioned the role of the medical director in ensuring medical standards during emergencies and decertification actions, as well as reviewing deficiency statements. Finally, she highlighted the added requirement for nursing homes to begin discharge planning for residents who show an interest in leaving.

#### Nursing Home Rule Revisions Discussed

Mandy Smith discussed several revisions to nursing home rules. The modifications included requirements for bed and mattress sizes to match the resident's needs, provisions for resident privacy and room accessibility, and regulations for call systems. Mandy also highlighted the need for medications to be available without interruption and timely administered according to the resident's treatment plan. The rule also mandates that contact information of the nearest relative or guardian be updated every six months. Additionally, each resident room will have a toilet room directly accessible from the resident's sleeping room, and facilities will be required to have a device to check the ambient temperature of the rooms. The rule also stipulates that the nursing home must have a written disaster preparedness plan and report missing or at-risk residents to local law enforcement.

#### Proposed Changes, Medication Timeliness, and Travel Updates

Mandy Smith discussed proposed changes filed with the common sense initiative and announced that the comment period was open. She encouraged members to share their feedback on any desired changes. Mandy also answered Yvette Jackson query about the timeliness of medication administration, explaining that it refers to the next scheduled dose. Mandy highlighted issues arising from hospitals discharging residents with medications that their facilities are unable to procure. Diane Dietz reminded the participants about the upcoming travel of Pete and the potential cancellation of next week's call.

#### Next steps

Pete will work on potential solutions for non-invasive events and discuss with other associations.

Mandy will post the presentation and PowerPoint on the website and link it with the news site.

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