

Meeting Summary for OHCA NF Member Call

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Quick recap

pete and Mandy held a meeting for Skilled Nursing Facility members. pete announced that there would be no call the following week due to a holiday and mentioned that significant news would be communicated through news bytes or a bulletin. He also shared that AI-generated summaries of the calls would be posted on a designated web page. The meeting continued with pete providing updates on several issues, including a lawsuit, quality points issue, and the process for private rooms. pete also discussed potential problems with too many applications for funding, the issue of unused beds, and changes to the vent rule. He also touched on the implementation of a new system for rating healthcare facilities and the increase in respiratory viruses. Finally, Mandy provided an update on the rules for skilled nursing facilities in Ohio.

Summary

SNF Members Meeting: Updates and Communication Methods

pete and Mandy initiated a meeting for the Skilled Nursing Facility (SNF) members. Mandy provided instructions on how to participate in the call, while pete noted that there wouldn't be a call next week due to the holiday. They also mentioned that if any significant news occurs, it will be communicated through either news bytes or a bulletin. pete further stated that AI-generated summaries of the calls will now be posted on a designated web page. The meeting was set to continue with pete providing a few updates.

Lawsuit, Quality Points, Supreme Court, Private Room, One-Star Buildings

pete discussed the status of several issues. They confirmed that there were no updates regarding the lawsuit or the quality points issue, and they were continuing to work on them, waiting for comments from legal counsel. They also mentioned that they planned to initiate the process within the Supreme Court of Ohio after the first of the year. The main issue currently was the private room one, where the state had put out a second memo with more information about the application process. However, there were still some unanswered questions about the application process, including what happens if the process breaks down and whether providers could submit their applications via email. pete also mentioned the issue of one-star buildings and the reasons why applications might be rejected.

Provider Qualification Dilemma and Bed Surrender Timeline Dispute

pete discussed the dilemma faced by providers who might not meet the qualifications for application at the time of submission, but could potentially qualify later. They advised providers to still apply, as rejection wouldn't preclude them from reapplying later. Additionally, pete

highlighted an ongoing dispute over the timeline for surrendering beds, with one colleague suggesting it should occur before the application is submitted, while the Department of Medicaid stipulates it should be before approval. pete concluded that these issues were still unresolved.

Funding, Private Rooms, Banked Beds: Issues Discussed

pete discussed the potential problem of too many applications for funding, which could result in some providers being left out due to the cap on funding. They suggested that the legislature might be able to expand the cap, but this would require a budget appropriation, which they are unlikely to consider in the near term. They also highlighted that the issue of private rooms was not addressed in the recent budget correction bill. Joe raised a concern about a small number of banked beds that have been unused for years and asked whether they would need to be forfeited. pete explained that according to the statute, these beds would need to be surrendered if all beds in the facility are in service. Joe requested clarification on this issue, which pete suggested they should apply for.

Room Listings Incentive and Admission Issues

pete clarified that there's no fee to apply for the room listings incentive and the application process will remain open until it's full. They also discussed the issue of private rooms, stating that while technically patients can be admitted, they won't be reimbursed at the event rate, making it financially challenging to admit more. There was also a discussion about the interpretation of the term "admission" in the statute, with pete suggesting it was likely intended for new admissions.

Vent Rule Changes and Private Room Development

pete discussed the upcoming changes to the vent rule, which governs the event rate and has the right requirements and criteria for the event rate. pete mentioned that a draft of the new rule has not yet been shared, despite the prohibition taking effect on January 1st. They also discussed the development of a permanent rule for private rooms, which was filed with the common sense initiative. pete expressed hope that no significant changes would be made to the program, but noted that the process could be lengthy. They also mentioned the potential elimination of the ventilator associated pneumonia rates, as the statute no longer requires a pay for performance aspect.

Rating System Implementation Uncertainty

pete discussed the uncertainty surrounding the implementation of a new system for rating healthcare facilities. The team was considering how to handle billing rates for new admissions based on the facility's star rating. The question was whether the facility's rating took effect from the day notification was received or when the public list was published. pete suggested that the state might need to notify providers about their status on the list, and that providers moving off the one-star list might want this change to happen as quickly as possible. They also noted the need for clarification on this issue by January 1st, as it could affect admissions decisions.

Vaccinations, Covid Cases, and Assisted Living Reimbursement

pete discussed the increase in respiratory viruses, including Covid, RSV, and flu, and the push for vaccinations. They also mentioned an uptick in Covid cases in long-term care facilities in Ohio. Furthermore, they touched on the topic of assisted living waiver reimbursement. They highlighted that providers had to submit their attestations by the previous Friday to be able to bill starting January 1st for the new memory care rate. pete also mentioned that some providers had already received authorizations from the Triple A to bill for the memory care rate.

Medicaid Rate Developments and Critical Access Facility Rate

pete discussed the ongoing developments related to the Department of Medicaid rule on assisted living waiver rates. They mentioned a person who intends to operate in Ohio and testified at the Joint Committee on Agency Rule Review about the critical access facility rate. This rate, which is \$145 for facilities with 40-50% or more Medicaid residents, is crucial for the provider's development plans. pete mentioned that the Governor had vetoed the statutory language regarding this rate, leading to uncertainty about legislative intent. However, the committee has given the provider until July 1st to propose a critical access rate. pete also mentioned a significant increase in veterans administration rates for those with veterans care agreements, ranging from 50 to 80%.

Ohio Skilled Nursing Facilities Rule Update

Mandy provided an update on the rules for skilled nursing facilities in Ohio. They reported that they had met for a stakeholder meeting to discuss remaining changes in the rules, with a focus on elopement reporting. Mandy also mentioned that they had successfully advocated for the removal of a clause that would have required administrators to report possible changes of ownership. The new rules are not expected to be finalized until the summer due to the need to go through the commonsense initiative. Mandy also addressed the new requirement for facilities with 100 residents or more to have a full-time administrator, which they suggested could be improved by setting the threshold at 100 residents rather than beds. The draft of the new rules will be shared with stakeholders for feedback.

Next steps

Pete will post AI-generated summaries of the calls on the special web page.

Pete will follow up on the question about the interpretation of "admission" in the vent rule.

Mandy will check the status of the RCF rules filing with CSI.