

## **Meeting summary for OHCA Assisted living member call (11/27/2024)**

### **Quick recap**

Pete and Erin discussed updates and issues related to MyCare Ohio, a healthcare program, and the Quality Navigator, a survey for assisted livings and SNFs. They also addressed the Department of Labor's overtime rule, real and present danger (RPD) citations in assisted living facilities, and the medication aid rules. Lastly, Pete discussed the implications of the recent election results on federal regulation of assisted living and the changing leadership in the state's House and Senate.

### **Next steps**

- Assisted living providers to request prior authorization for Care Source residents by January 1st for 180-day periods.
- Assisted living providers to check Provider Network Management (PNM) to ensure claim information matches for Care Source claims to avoid denials.
- Assisted living providers to review the new infection prevention and control guidelines published by QUALC for potential adoption.
- Assisted living waiver providers to complete the required HCBS Settings training videos on ODA's website.
- OHCA to continue advocating for assisted living waiver rate increases in the upcoming state budget process.

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### **Summary**

#### **MyCare Ohio Updates and Provider Issues**

Pete and Erin discussed updates and issues related to MyCare Ohio, a healthcare program. They announced that four plans, including Buckeye, Care Source, and Molina, will be selected for the new MyCare Ohio starting January 1, 2026. They also discussed the need for residents to choose a new plan if they are currently dual-eligible. Erin highlighted the need for provider protections and the importance of tracking authorization for residents. She also mentioned issues with Care Source, including a claims edit for provider matching and a new prior authorization requirement. Pete then discussed the Quality Navigator, a survey that the Department of Aging has been trying to get assisted livings and SNFs to fill out for the second version of the Nursing Home Quality Navigator.

#### **Upcoming Navigator and Director Release**

Pete discussed the upcoming release of version 2.0 of the navigator and director, which is expected to be released soon. He also mentioned the deadline for completing

surveys, which is the 27th. Pete expressed concerns about the Department of Aging's increasing insistence on license renewal for facilities that don't complete the survey. He argued that this is government overreach and that there is no statute or rule requiring facilities to submit the survey. Pete also mentioned the Quality and Assisted Living Coalition (Qualc) and their guidelines for infection prevention and control in assisted living facilities. He suggested that these guidelines could be considered by facilities in Ohio.

### **Overtime Rule Vacated, RPD Cited**

Debbie discussed the Department of Labor's overtime rule, which was vacated by a judge. The rule had increased the minimum salary threshold from \$35,000 to \$43,000 and was set to increase further in January. However, the judge's ruling means the rule is now back to the \$35,000 threshold. Debbie also mentioned that the Department of Labor may appeal the ruling, but it's unlikely given the change in administration. Mandy presented a report on real and present danger (RPD) citations in assisted living facilities, which have been increasing. She recommended that facilities ensure they have enough staff to meet the needs of their residents. Erin discussed the medication aid rules, which are being revised due to Senate Bill 144. She also mentioned that there are now two training providers in Ohio offering certification for current medication aides. Erin also discussed the HCV settings training and the Ohio Housing Finance Authority's guidelines for LIHTC funding. Finally, Pete provided a political update, mentioning that there may be less solicitude towards additional regulations under the new administration.

### **Election Impacts on Assisted Living Regulation**

Pete discussed the implications of the recent election results on the potential for federal regulation of assisted living. He noted that the likelihood of such regulation has decreased due to the election outcomes, particularly the minority status of proponents of greater regulation. Pete also addressed the changing leadership in the state's House and Senate, which could impact funding for assisted living. He expressed concern about the state's financial situation, which could make it challenging to secure further increases in waiver rates. Pete concluded by expressing his willingness to answer any questions and wishing everyone a great Thanksgiving.

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