

Meeting summary for OHCA NF Member Call (04/08/2025)

Quick recap

The meeting covered several important topics, including an upcoming convention, CMS revalidation requirements, and a significant court ruling on minimum staffing rules. Discussions also focused on state budget challenges, particularly regarding private rooms and PDPM issues, as well as federal-level developments in the Budget resolution process. The team addressed ongoing concerns with regulatory reforms and revalidation issues, emphasizing the need for continued efforts to address these matters in future meetings and legislative processes.

Next steps

- OHCA members to complete CMS revalidation by May 1st.
 - OHCA members to register for the upcoming convention on May 5th-8th if they haven't already.
 - OHCA to continue advocating in the Senate for changes to the state budget, particularly regarding private rooms and PDPM issues.
 - OHCA to educate Senate members on the technical issues and proposed changes for PDPM implementation.
 - OHCA to monitor and update members on any developments regarding the federal budget reconciliation process and potential Medicaid cuts.
 - OHCA to follow up with ODM regarding the status of recoupments from December 2023 overpayments.
 - OHCA members to notify OHCA immediately if they receive any communication from Medicaid regarding recoupment reports.
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Summary

Skilled Nursing Facility Member Call Summary

Erin Hart opens the weekly skilled nursing facility member call by reminding attendees about the upcoming convention from May 5th to 8th. She encourages prompt registration and hotel booking due to limited availability. Erin also emphasizes the importance of completing the CMS revalidation due May 1st, providing resources and links to help members with the process. She stresses that no extensions are expected and warns of potential Medicare payment suspension for non-compliance. Pete reinforces the urgency of completing the revalidation, and members discuss challenges and strategies for completing the process, particularly regarding Additional Disclosable Parties (ADPs).

Hca Court Case Ruling Impact

Debbie announced a significant win in the Hca Court case regarding the minimum staffing rule. The judge ruled in favor of Hca, vacating the minimum staffing rule components. This decision does not impact all components of the rule, such as facility assessment and payment transparency reporting. The ruling is not final, as there is still a possibility of appeal. The court's decision may affect the Federal budget reconciliation process, potentially impacting the savings target.

State Budget Challenges and Rejections

Debbie discussed the state budget, highlighting the challenges faced with the sub bill. The bill did not include changes to Pdpn, and the proposed cap of 5,000 private rooms was a concern as the State Odm had already approved about 28,000 private rooms. The cap was later changed to 15,000 in the omnibus amendment. Debbie also mentioned the reduction in the increase to the personal needs allowance from \$100 to \$75 a month. She expressed disappointment over the rejection of their amendments related to Pdpn and the technical issues with the Governor's budget. Debbie emphasized that the budget process is not over and they still have opportunities to address these issues. She also mentioned the need for a blend of nursing, speech, and Nta in the state's approach.

Private Rooms and Investment Protection

Debbie and Pete discussed the issue of private rooms and the arbitrary number of 15,000 beds. They acknowledged that there might be a misunderstanding and confusion about the data and numbers. They also mentioned that they will be working on this issue in the Senate and have already met with some people there. They emphasized the need to protect the investments made by providers in creating private rooms. Pete added that the issue is unadministrable.

Medicaid's Private Room Cap Controversy

Pete discussed the Department of Medicaid's decision to implement a firm cap on private rooms, which he found problematic. He explained that the cap was driven by two factors: the desire for a firm cap and the belief that private rooms were set aside for Medicaid residents. Pete also mentioned that the Department's understanding of the issue was flawed, as they believed that private rooms were only for Medicaid residents. He suggested that the Department's mistake was in not considering the 50% utilization assumptions in the statute and the way the beds are actually used by providers. Pete also mentioned that they would start getting their intel from the Senate and put together a strategy to make the amendments more likely to succeed. He expressed doubt that the Governor's office had any understanding of the issue, as they would have been able to clarify things if they had been asked.

Addressing PDPN Price Increase Challenges

Debbie and JAbraham discussed the issues with the Pdpn, specifically the price increase and the phase-in rollout. They agreed that both issues were significant and

needed to be addressed. They also mentioned the challenges of getting all the associations on the same page for certain components. Pete added that the phase-in piece was crucial as it could lead to significant cuts for providers. They emphasized the need for technical fixes and changes to the system. They also mentioned the importance of educating the Senate on these issues.

Senate Passes Budget Resolution

Pete discussed the latest developments at the federal level, specifically the Senate's passage of their version of the Budget resolution. He explained that the resolution consists of a set of instructions for the committees in the House and the Senate on how to arrive at the eventual budget numbers. The Senate and House committees are working on different approaches, which will be sorted out during the reconciliation process. Pete also mentioned that the House has not yet passed the Senate version and there are concerns about Medicaid cuts. He expressed optimism that the President will swing into action to push the process forward. The goal is to get the resolution done and to the President by Memorial Day.

State Budget and Regulatory Reform

Pete discussed the upcoming state budget and the ongoing issues with the Department of Health and Human Services. He mentioned that Dr. Oz has been confirmed and they are preparing to present their regulatory reform initiatives to him. Pete also mentioned that they have gone before Dr. Oz and the Deputy Administrator with revalidation issues. Erin added that they have not received any reports of overpayments from Odm and they are still waiting for an update. The team agreed to meet again next week to discuss further.

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