

Meeting summary for OHCA NF Member Call (04/30/2024)

Quick recap

The team discussed the importance of accurate interpretation of medical documentation, the need for adequate staffing in nursing facilities, and the use of Ppj data for compliance. They also explored the quality points system for healthcare providers in Ohio, a lawsuit against the independent contractor rule, and the upcoming webinar for skilled nursing professionals. Lastly, they reminded the team about the State's overview on long-term care providers and addressed questions regarding facility assessments and documenting enhanced barrier precautions.

Next steps

- Erin will perform an annual analysis of facility staffing ratios to identify facilities that may qualify for RN exemptions in the future.
- Pete will monitor the status of the proposed DEA rule to reduce the classification of weed, which could impact facility staffing requirements.
- Pete will provide an update on the non-compete clause rule and its impact on nursing home providers.
- Debbie will share the link to register for the State's My Care Overview webinar for long-term care providers.

Summary

Medical Documentation, Compliance, and Staffing

Mandy emphasized the importance of interpreting medical documentation accurately, particularly in relation to wound physician's terminology. Pete discussed the discrepancies between the use of urban and rural data sets in compliance requirements. He also mentioned the need to address minimum staffing, noting it as a constantly evolving issue. Joe suggested that the compliance process might feel more manageable after factoring in updates.

Ohio Staffing Ratio Rule and Exemptions

Pete, Mandy, and Erin discussed the staffing ratio rule for registered nurses in Ohio, which mandates a ratio of 80% or less. They noted that no Ohio facilities currently met this standard and urged facilities to begin planning to meet the rule's requirements. The team also discussed the upcoming implementation of a new skilled nursing minimum staffing rule, the potential impact on their facilities, and the likelihood of certain facilities qualifying for an exemption. The discussion also covered the need for immediate coverage if a staff member is absent, the timeline and likelihood of certain facilities qualifying for an exemption, and the potential negative impacts of exemptions. Lastly,

the team highlighted the need for evidence-based and data-driven decision-making, and discussed the most recent staffing data from the Centers for Medicare and Medicaid Services (CMS).

PPJ Data and Staffing Standards in Nursing Facilities

pete and Erin discussed the increasing importance of Ppj data for obtaining exemptions and ensuring compliance in nursing facilities. They noted that many determinations of compliance would be based on this data, which can be obtained without site visits. pete also highlighted the staffing standards in Ohio's nursing facilities, revealing that only 9.9% met all three standards when considering the 24/7 Rn. He suggested that the Pbj data might not accurately reflect staffing levels due to its reliance on reported data, and an upcoming revision to the Pbj data system was mentioned for more detailed enforcement.

Healthcare Staffing, Rule Changes, and Surveys

pete discussed the uncertainty surrounding the administration and staffing of healthcare components, with a focus on the potential role of dons in patient care. He also touched on recent rule changes, expressing concern about the potential expansion of the 80-20 rule to other services. Additionally, he noted no updates on the Ohio Medicaid case and highlighted that surveyors could conduct random checks, including requesting nurse schedules, without restrictions. Lastly, he pointed out a Spa had been filed with CMS, but there were no significant developments on that matter.

Ohio Healthcare Quality Points System Discussion

pete, Debbie, and Heidi discussed the quality points system for healthcare providers in Ohio, emphasizing its estimates and potential inaccuracies, as well as the challenges in accurately segregating data. They also explored the impact of bed surrender on cost reporting and Medicaid access rules, noting an upcoming deadline for this practice. The discussion further covered refinements to the quality points system, staffing rules, and the calculation of staffing figures, as well as the potential effect of a new Federal Trade Commission rule prohibiting non-compete clauses. Technical difficulties were experienced by Heidi during the call.

Independent Contractor Rule and Updates

Debbie and pete discussed a lawsuit filed against the independent contractor rule by the Department of Labor and its potential impact on businesses and non-profit organizations. They also talked about the value per point for different job positions, the recent updates on non-profit organizations, and changes in the administration's rules that came into effect last week. pete pointed out the potential issues with the system, including the lack of significant opposition to statutory increases and potential problems with the CMI adjustments in July. Debbie committed to sharing the rule language once it's filed.

Skilled Nursing Webinar and Workforce Update

pete discussed an upcoming webinar for skilled nursing professionals in Ohio on facility assessments. He recommended attending to stay informed and have the opportunity to share thoughts. pete clarified that though Ohio has fewer skilled nursing assistants compared to national numbers, there are no designated shortage areas. He explained temporary wounds would not be included in workforce statistics. pete suggested implementing policies on interpreting when a stage 2 wound is healing within an anticipated timeframe to avoid being subject to reporting requirements. The call may be rescheduled earlier next week due to the webinar, with the new time to be announced.

State Overview, Webinar, and PCNAs

Debbie reminded the team about the State's upcoming overview on long-term care providers the following Tuesday and urged them to attend and share their experiences with the State's MyChart system. Jane clarified that the facility assessment webinar was scheduled for Wednesday, May 8th. Curtis asked pete to share the link for registering for the facility assessment webinar. Kim from Josmary asked whether PCNAs working in hospitals were being counted as available SDNAs for hire in the Cleveland area. Mike from Anna Maria asked for guidance on documenting enhanced barrier precautions for wounds like surgical incisions, stage 2 pressure injuries, and dressing changes.

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