

OHIO HEALTH CARE ASSOCIATION WORKFORCE COMMITTEE MINUTES

December 12, 2022, 1:00 p.m.

[Zoom Meeting](#)

1. Committee Chair John Goodman called the meeting to order.
2. Mr. Goodman reminded everyone about the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies.
3. The minutes from the October 17, 2022 meeting were approved.
4. Public Policy Issues: Pete Van Runkle discussed OHCA's current top priority which is SNF funding. Mr. Van Runkle reported that the House version of the bill that includes a one-time payment to SNF's with ARPA money has passed but the Senate has not yet agreed to this version. The House and Senate must agree to a version or SNF's will not receive any relief. If a compromise is agreed upon, the bill may be passed in both houses tomorrow. A little further down the timeline but equally large is CMS's plan for minimum staffing mandates. No proposed rule has yet to be released but may come anytime between March 1, 2023, and May 1, 2023 in coordination with the Medicare Payment Rule. This could be a stand alone rule. AHCA is working on having some impact on the rule such as the ability to get a waiver, have a phase in approach, and a method to pay for additional staffing. The extra funding for staffing most likely to be paid for by Medicaid via the Access Rule that was written in 2016 which mandates states to meet certain standard for Medicaid rates. CMS is currently in the research and development stage. AHCA plans to have a grassroots campaign in January 2023 to CMS prior to rule making. The federal rule will be a proposed version with an opportunity for comment before the final rule is issued. Democratic senators up for election in 2024 will be targeted as democrats will control the Senate for two more years and this aligns with the Administration. Ohio Senator Sherrod Brown could be a target. The staffing ratio has been requested for at least 4.1 since the early 2000's but some want it even higher. Even 4.1 is currently extremely hard to reach with the workforce shortage and underfunding. A recent USA article about understaffing was harsh and found no excuse and put some blame on the enforcement agencies, putting heat on CMS. Chair John Goodman asked if PBJ data would be used for determining the staffing ratio. Mr. Van Runkle

stated that this is the most reliable data. Mr. Van Runkle also reported that HB 466 that would regulate staffing agencies is not likely to move during this lame duck session of the Ohio legislature. Will have to start over in 2023.

5. Ongoing Ideas

- a. Technology Solutions: Heidi McCoy reported that in the online folder, two AI technologies used mostly for Home Care are linked.
- b. OHCA Advocacy on Nurse Aide Training: Mandy Smith reported on OHCA's advocacy regarding LPN's ability to teach nurse aide training if an RN was in charge of the program. OBN states that this will not be included in their upcoming 5-year rule review but that the waiver is permanent. Steve Boymel then reported that a coalition meet last Thursday with vocational school stakeholders to explain the waivers. Many these vocational schools are willing to start high school STNA and LPN programs but need funding to set up the labs and purchase the simulated equipment. Start up costs have be determined to be a couple hundred thousand per location. The coalition questioned if ARPA funds could be used for these costs. Remote on-line high schools were also a concern for the vocational schools. The issues included: will community colleges accept these credits and will there be enough clinical sites available. Part of the problem is that SNF's with certain amounts of fines are not eligible to be clinical sites. There is a waiver program in Ohio for these sites, but ODH has not been issuing the waivers. Ms. Smith then went on report that CNAonline.com would love to start a hybrid LPN program in Ohio and has done so in other states. Ms. Smith asked the committee to let her know if a corporation or facility is starting their own hybrid program and is getting approved. Nathan Carder reported that they are using the Cinemak program.
- c. The DODD Retention Bonus Payment proposal update was provided by Mr. Van Runkle. This idea was started back in the summer of 2022 but there has been no legislation passed yet to get the money distributed. Legislation is drafted but currently has not passed. In order to do so, it needs to be put in a bill this week. There is no opposition to this bonus and all the funding is coming from DODD. The County Boards are taking the lead on advocacy. One issue is that this delay will lead to large bonuses to staff who have been employed and are still employed since the second quarter of 2022.

The fear is that this significant amount of bonus money could lead to resignations.

6. Other Items

- a. Nurse Licensure Compact coming to Ohio: Heidi McCoy reported that the Board of Nursing (OBN) recently held a webinar for OHCA members about Ohio joining the Nurse Licensure Compact (NLC) on January 1, 2023. The NLC is an interstate agreement that authorizes registered nurses and licensed practical nurses who hold multistate licenses to practice in any other state that has implemented the NLC. With the NLC, nurses can practice in person or via telehealth in all other NLC states without obtaining additional licenses. The webinar discussed the implications for nurses and providers and answered numerous attendee questions. A recording of the webinar is available [here](#).
- b. Required Inservice White Paper help: Mandy Smith asked the committee with help on updated OHCA's Mandatory Inservice White Paper. There is currently no Home Care and Hospice listings, and the ID/DD listings need updated. A link to the paper is in the on-line folder.

7. Adjournment

Next meeting: January 9, 2023, 1:00 p.m.