

# **OHIO HEALTH CARE ASSOCIATION WORKFORCE COMMITTEE MEETING MINUTES**

**February 12, 2024, 1:00 p.m.**

Chair John Goodman opened the meeting welcoming committee members to the call. He pointed to the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies in the meeting folder. He requested approval of the meeting minutes from January. Attendance for this meeting can be found at the bottom of this document.

Pete Van Runkle then discussed the Public Policy agenda, focusing on the CMS minimum staffing rule. He reported that the rule is not yet finalized, with an expected completion in late spring or early summer. He also mentioned that there is legislation in both the House and Senate that aims to stop the rule, but it is unlikely to pass in the near term. Mr. Van Runkle also noted that the rule has been scored at saving between 8 to 18 billion dollars. Debbie Jenkins updated the committee on the status of the Medicaid access rule, stating that CMS expects to have the final rule by spring. She also noted concerns about a provision that would require 80% of Medicaid reimbursement for personal care and home health services to go towards direct care worker compensation. The committee also discussed the Train More Nurses Act, a bipartisan bill that would require a study of all grant programs supporting the nursing workforce. Mr. Van Runkle then discussed visa retrogression, with the cutoff date for accepting visa applications extended to August 1, 2022. He discussed the potential to bring in more applications through the process and mentioned an announcement related to visa renewals that allows for 20,000 to be processed domestically by the State Department. Joshua asked about successful implementations, and Mr. Van Runkle confirmed their existence but noted it's not widespread.

Pete Van Runkle, John Goodman, and Rob Pivonka discussed the implications of the independent contractor rule, particularly in relation to the joint employer rule. Mr. Van Runkle highlighted the shift in the latest version of the rule, which leans towards classifying workers as employees rather than independent contractors, and its potential impact on agency environments. Chair Goodman agreed, noting the rule's evolution depending on party administration and its implications for agencies and nursing facilities. Mr. Pivonka added that most agency staff in nursing homes would meet the joint employment standard as they are directed in their work. The group also discussed the need for agency contracts to follow the laws and indemnify the nursing facilities against any potential violations. Hearing no other business, the meeting was adjourned.

Mandy Smith discussed the visitation guidance from CMS that reminds healthcare facilities not to discriminate in visitation rights. She clarified that residents have the right to visitation by their immediate family and other relatives, but they can deny or withdraw it at any time. She noted that this applies to all residents, not just those with Medicare or Medicaid. She also mentioned that there are provisions for restrictions on visitation when clinically necessary. Ms. Smith then shared a link to the AHCA information, which includes a letter summarizing this guidance and an FAQ. Diane Dietz moved the discussion to OSHA workplace requirements, stating that employers in certain categories of industries, including healthcare, with more than

100 employees are now required to submit their 300 log and 301 form detailing all workplace illnesses and injuries. Ms. Dietz also mentioned that the American Health Care Association (AHCA) had brought on Brad Hunt, a former consultant with OHCA, to provide resources and support, including a webinar on OSHA record keeping. She encouraged team members responsible for OSHA and record keeping compliance to utilize the resources provided by AHCA.

Mandy Smith then noted that OHCA is hosting a free member webinar on February 26<sup>th</sup> at 1pm with Oral Health Ohio to review the program curriculum changes to the STNA training program. The rules were changed to expand the training curriculum, and all providers who train STNAs should attend this webinar to ensure their materials are current on this topic.

Debbie Jenkins shared information about several grants offered by the Department of Developmental Disabilities (DODD), including the HCBS ARPA Workforce Support Grant and the Transformative Technology Solutions Grant. She also shared the results of the calendar year 2022 DSP compensation survey, noting the high turnover rate among those with less than a year of experience and the high tenure of those with a year or more of experience. She also announced plans to review and potentially submit a proposal for a DSP apprenticeship program through OHCA. More information on the development of this effort would be reported during the next committee call.

Erin Hart discussed the initiatives being taken to promote workforce opportunities in the region. She announced the creation of a dedicated webpage and a monthly bulletin to highlight these opportunities. Ms. Hart also mentioned the High School Tech Internship Program, a statewide initiative that provides reimbursement for employing student interns. She encouraged OHCA members to participate in this program. Ms. Hart also discussed the HRSA Geriatrics Workforce Enhancement Program, a collaborative grant application involving multiple universities and institutions. If successful, this program would provide dementia certification for direct care workers at no cost. Ms. Hart promised to keep the members updated on the progress of these initiatives.

Ms. Hart announced that the Licensed Nursing Home Administrator (LNHA) apprenticeship program has officially started, with six employers already onboarded. The program is funded by the Equus grant, which allows for reimbursement of \$800 per apprentice. She encouraged interested parties to reach out for more information about the program. She also discussed the process, emphasizing that the majority of the work is taken on by OHCA, the sponsor of the apprenticeship program. She also mentioned that the program has partnerships with Hsu and Kent State for student referrals.

Ms. Hart discussed the creation of a work group to review the STNA upskilling program and the exploration of funding options for the third step of the program. The work group for his initiative is focusing on certifications for dementia, mental health, geriatrics, and restorative nursing. OHCA has reached out to the center of excellence to discuss training options for mental health and Geriatrics certification, as well as the CNA Association's online specialization for preceptor training. The work group is also looking at regulatory aspects and funding mechanisms for certifications, such as grants and funding for providers who participate in the

upskilling model. Additionally, they are working with the director at the Department of Aging, who is interested in an STNA upskilling program.

Ms. Hart also discussed the development of an apprenticeship model for medication aids, particularly targeting residential care facilities/assisted living. She mentioned that the program, would offer benefits such as grant and reimbursement opportunities. Workgroup meetings are set to begin March 6<sup>th</sup>. Ms. Hart also expressed interest in starting a leadership education program through the association, similar to what other state associations offer. She encouraged participants who are interested in leadership education to reach out to her. She reminded committee members that the deadline to apply for the AHCA Diversity Executive Leadership Program is February 16<sup>th</sup>.

Diane Dietz encouraged everyone to spread the word about the foundation's scholarship program, which is open to employees and their family members. She stressed that applying for a scholarship requires completing a FAFSA and that the applications are evaluated based on financial need, answers to essay questions, and longevity. Diane also introduced a new approach to the certification scholarship program, where applicants will receive a maximum award of \$1,500. The goal is to ensure that all funds are used within the budget year. The application deadline for both programs is March 17th.

Hearing no other business, the meeting was adjourned.

Next meeting: March 19, 2023, 1:00 p.m.

<b>First Name</b>	<b>Last Name</b>	<b>2/12/2024</b>
Ashley	Buga	X
Brad	Gasser	X
Brandi	Johnson	X
Brian	Kinzer	X
Debbie	Jenkins	X
Diane	Dietz	X
Edward	Beatrice	X
Eileen	Kilbane	X
Erin	Hart	X
Jeremy	Monroe	X
John	Goodman	X
Josh	Anderson	X
Joshua	Wallace	X
Kimberley	Corrigan	X
LaShonda	Campbell	X
Mandy	Smith	X
Matthew	Pool	X
Melissa	Courtock	X
Nathan	Carder	X
Neil	Everett	X

Nicole	Breving	X
Paula	Accordino	X
Pete	Van Runkle	X
Peter	Lienert	X
Rob	Pivonka	X
Santanna	Rapp	X
Steve	Miller	X
Theresa	Decker	X
Victoria	Barkin	X