

OHIO HEALTH CARE ASSOCIATION WORKFORCE COMMITTEE MEETING MINUTES

July 10, 2023, 1:00 p.m.

[Zoom Meeting](#)

Chair Goodman opened the meeting welcoming everyone to the call and pointed to the meeting and committee materials in the online folder, including the conflict of interest and confidentiality policies. He requested a motion to approve the minutes from the previous meeting. Eric Hutchins motioned to approve, and Nicole Breving second the motion. Attendance for this meeting can be found at the bottom of this document.

Chair Goodman invited Pete Van Runkle to discuss Public Policy issues, beginning with an update on the Ohio Budget for the current biennium. The budget has workforce implications as it relates to reimbursement. The final version of the budget included increases in Medicaid reimbursement for all provider types that OHCA represents that will be implemented at different times. SNF and ICF rates will be effective immediately. Waiver providers and state plan home health will have implementation January 1, due to the need for rule creation and CMS approval of any changes. The process for rate setting should include stakeholder involvement. For SNF providers, there is some disparity in the distribution of rate increases due to the quality incentive not being awarded to the bottom 25% of providers. Other provider types do not have such disparity.

The temporary staffing agency legislation did not make it through the budget process. OHCA will restart our legislative efforts on this legislation after Labor Day. Also on the regulatory side, the budget calls for staffing measures to impact SNF rate calculations effective 7/1/24 by adding it as a Quality Measure. One-star facilities will not qualify for private room reimbursement or be able to admit new ventilator patients. Facilities with a 1-star staffing measure could have their overall star rating impacted as well.

Erin Hart added that the Governor did veto the rate specific language for HCBS waiver services, but the funding remains. They also retained the language relating to the memory care add-on for assisted living waiver (although not the amount), as well as the requirement for 20% higher staffing ratio in the unit to receive the higher reimbursement amount.

Next, Mr. Van Runkle provided an update on House Bill 45 (HB45) provider payments. Assisted Living and Hospice providers have until July 31 to apply for their reimbursement. Any provider who receives funds from OBM before June 30, 2023 will have to comply with the reporting deadline of July 31, 2023. Last Friday, the state issued additional guidance on the reporting requirements, which was published in News Bites.

Next, Erin Hart discussed the pending workforce legislation being promoted by AHCA at the Federal Level. The TNA legislation does not apply to Ohio, but the "Ensuring Access to Quality Care" Act does. This would allow SNFs with CMPs to complete remedies and continue to train STNAs under supervision of CMS, instead of being banned for 2 years.

Debbie Jenkins then discussed the “Medicaid Access Act”. OHCA recently submitted comments criticizing the requirement to pay workers 80% of the rate. The rule was meant to address payment inadequacy in Medicaid, but instead put the burden on the provider and did not address the multitude of Medicaid services.

Heidi McCoy then gave an update on the Public Health Emergency unwinding, which ended on May 11, 2023. Providers are still required to educate residents and staff members on vaccination and offer vaccination until May 21, 2024. Providers no longer have to notify residents and families of COVID cases. The 3-day qualifying hospital stay and PASRR waivers are also terminated. The requirement to report COVID19 vaccination status of residents through NHSN has been made permanent. Lastly, CMS withdrew the SNF vaccine mandate for personnel working for SNFs and other health care providers on May 31st.

Jill Herron noted that most free tests that they are receiving come from the federal government and are expired. Mandy Smith advised to check if the manufacturer has extended the expiration date and, if so, they can continue to use those tests.

Next Mandy Smith discussed the review of the OHCA White Papers. The current Workforce Committee was renamed from the previous Human Resources committee, who used to review and update the white papers. The white papers were last reviewed in 2019. John Goodman noted that several Federal provisions have changed, and that he and Rob Pivonka would review and make updates for the committee.

Debbie Jenkins then discussed the Department of Labor Overtime Rules. OHCA is hearing that these will be issued in late summer and that there may be changes to increase the salary threshold amounts, which are currently around \$35K. During the Obama Administration, a similar effort which also included automated accelerations was blocked by the federal court. Additionally, they may be looking to adopt California’s 50% duties test. The current regulations allow more flexibilities. OHCA will report on the rule once issued.

Debbie Jenkins then provided an update from Department of Development Disabilities Workforce efforts. OHCA anticipates additional reporting requirements for the increased reimbursement. It is possible that other Departments will have similar requirements. The HCBS ARPA funds are likely going to the quality incentive for adult day, but we are waiting to hear what the one-time funds are going to be used for. She requested any ideas from committee members be sent to her for consideration. The final Workforce Crisis task force meeting is scheduled for this week. The department will issue a final report on the findings and work of the task force.

Erin Hart then gave an update on current efforts of the committee. The Health Collaborative continues to meet to foster the relationship of SNF, CTEC and Community Colleges across the different regions of the state. The CTECs were awarded funds in the budget for technical program enhancements and equipment, and another statewide meeting is scheduled in September to encourage the CTECs to open LPN programs. Currently, 35 of the 80 are looking to start these programs. However, Nurse faculty has become an increasingly large barrier.

She then discussed the CMP Grant submitted to ODM by OHCA. ODM is requiring individual letters of support from facility for the RETAIN grant. Ms Hart would email the committee to obtain signatures following the meeting, along with the information on RETAIN. She also noted that CMS has currently suspended CMP grants. However, having the letters on hand will prevent a denial based on a technicality once the program is restarted.

Chair Goodman asked if there were any other questions. Jill Herron asked if there was a change in the budget for the nomenclature for an STNA to be changed to a CNA. Pete Van Runkle clarified that it was in the Task Force Report but not the budget. That change was included in a series of workforce related amendments proposed by OHCA that did not make it in to the budget.

Hearing no other items, the meeting was adjourned.

Next meeting: August 14, 2023, 1:00 p.m.

First Name	Last Name	7/10/2023
Paula	Accordino	X
Josh	Anderson	X
Edward	Beatrice	X
Nicole	Breving	X
Nathan	Carder	X
Amy	Carroll	X
Pam	Cooke	X
John	Dombrowski	X
Ken	Fetterman	X
Lori	Filipovich	X
John	Goodman	X
Nikita	Grimes	X
Belinda	Groppi	X
Erin	Hart	X
Jill	Herron	X
Brenda	Honigford	X
Eric	Hutchins	X
Debbie	Jenkins	X
Brandi	Johnson	X
Brian	Kinzer	X
Kelsey	Knisley	X
Eitan	Laghaie	X
Peter	Lienert	X
Joan	Longhin-Howard	X
Heidi	McCoy	X
Steve	Miller	X
Mandy	Smith	X
Pete	Van Runkle	X

