

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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They said it

"The nursing home industry has always been seen as the bottom of the food chain for healthcare"

Principal President and CEO Lynn M. Hood announcing new Alzheimer's drug trials in which the LTC company will participate

"We have really pivoted to a world where we are going to be surveying and holding facilities compliant"

Jon Blum, COO and chief deputy at CMS announcing the agency will be focusing on hospitals with bad COVID rates

"This is truly a game changer"

Illinois Gov. JB Pritzker signing a bill into law to provide \$700 million annually to improve nursing home wages and staffing

"We're clearly undercounting infections"

White House COVID-19 Response Coordinator Dr. Ashish Jha told reporters at the most recent COVID press briefing

Washington Best, Nevada Worst In Caring for Older Adults

Seniorly compared physical and mental health, finances, and social factors across all 50 states and the District of Columbia to determine how metrics have changed over the past decade. A total of 12 individual ranking factors comprised a best possible score of 306.

Washington was the top state overall, scoring 248.8, two points ahead of North Dakota. Massachusetts (228.8), New Hampshire (228.2) and Vermont (213.6) rounded out the top five states.

At the other end of the spectrum, Nevada scored the lowest, at 76.3. Utah (91.8), Arkansas (94.4) and Hawaii (94.6) rounded out the bottom five.

Senior Living, 05/16/22

States Trying to Crack Down of Agency Gouging

Six states recently introduce bills to discourage price gouging – Maryland, Idaho, Indiana, Kansas, New York, Pennsylvania. None of the proposals made it out of committee.

Oregon appears to be the furthest along with its legislation that went into effect in March. The state law requires temporary staffing agencies to apply for a license to operate in the state, as well as annually evaluate and implement maximum rates agencies may charge.

Iowa legislation; became law earlier this month. It has five aspects that will help the nursing home industry, stopping just short of placing a cap on rates.

Skilled Nursing News, 05/27/22

Providers Will Assault Capitol Hill This Week

More than 500 skilled nursing providers are expected to arrive in Washington, D.C., Monday ready to press federal lawmakers for solutions on staffing and revenue issues that threaten patient access across the country.

Those dual challenges will inform most conversations as members of the American Health Care Association try to bring their elected officials onto their side and pressure CMS ahead of a major funding decision.

Providers will ask Congressional leaders to not "effectively reduce our reimbursement all at once," referring to a 4.6% parity adjustment proposed by CMS to restore PDPM to its intended budget neutral position.

McKnight's, 06/02/22

Illinois to Provide \$700M Annually to Juice Up Staffing

Gov. JB Pritzker signed legislation Tuesday that will pump an additional \$700 million annually into Medicaid-funded nursing homes, provided they use that money to increase staff and wages in their facilities.

The bill passed unanimously in both chambers of the General Assembly, but

only after nearly two years of negotiations between the administration and the nursing home industry.

Although the problem became more acute during the pandemic, officials have cited studies showing Illinois has more understaffed nursing homes by far than any other state, a problem driven by high turnover rates and low wages.

Capitol News Illinois, 05/31/22

Asks for DOJ Probe of MAO's Claims Rejections

An influential group of healthcare providers is calling on the Department of Justice to investigate Medicare Advantage organizations (MAO) that have been found wrongly denying services to beneficiaries.

The American Hospital Association issued the plea in a letter to DOJ's Civil Division.

The letter is in response to a federal study that found that MAOs in order to increase profits, often improperly denied or delayed services — even though the requests met Medicare coverage rules.

Post-acute facilities were among the healthcare services often involved in denials that met Medicare coverage rules.

McKnight's, 05/25/22

Skilled Nursing Beds Disappearing from CCRCs

Removing skilled nursing beds should be part of wide considerations for life plan and continuing care retirement communities' (CCRCs) looking to succeed.

A new Ziegler report laid out a model on how life plan communities and CCRCs can be successful in the future, found that skilled nursing changes were among the most common. This has been especially true, considering the amount of disruption during the COVID-19 pandemic.

Many providers have already either downsized their nursing beds — mostly through converting semi-private rooms to private — or have fully exited the skilled nursing space altogether.

Ziegler, McKnight's, 06/01/22

IN THE TRENCHES – COVID-19 in the States, the SNFs, the World

AMERICA: Cases of COVID-19 are — yet again — on the rise. The U.S. is seeing an average of more than 100,000 reported new cases across the country every day. That's nearly double the rate a month ago and four times higher than this time last year. And the real number of cases is likely much higher than that, because many people now rely on at-home tests (*NPR Shots*).

THE WORLD: The coronavirus mutant that is now dominant in the United States is a member of the omicron family, but scientists say it spreads faster than its omicron predecessors, is adept at escaping immunity and might possibly cause more serious disease. That's because it combines properties of both omicron and delta and allows the virus "to escape pre-existing immunity from vaccination and prior infection, especially for those infected in the omicron wave (*WLWT-TV*).

NEW YORK: The state Department of Health added new provisions to the nursing home and hospital PPE stockpile requirements in the NY Surge and Flex emergency rules. The new provisions prohibit expired PPE from being counted toward a facility's PPE stockpile obligation. The new regs require expired PPE to be disposed (*GNYHA.org*).

AMERICA: U.S. women had about 3.66 million babies in 2021, up 1% from the prior year but still about 86,000 fewer births than in 2019. It was the first year-over-year increase since 2014. "We're still not returning to pre-pandemic levels," said Dr. Denise Jamieson, chair of gynecology and obstetrics at Emory University School of Medicine. U.S. births had been declining for more than a decade before COVID-19 hit (*CNN, Wall Street Journal*).

NEPAL: Nepal's economy is expected to expand by 5.8% in the current fiscal year ending mid-July, helped by a pick-up in economic activity following a fall in COVID-19 cases. Nepal has ended almost all pandemic-related restrictions, imposed to curb the spread of the novel coronavirus and took several steps to

revive the economy hit by the pandemic (*Reuters*).

AMERICA: Summer vacation season is almost here – and gas prices weigh on the minds of Americans far more than coronavirus as they plan their trips. A Washington Post-Schar School poll finds **fewer than 3 in 10 Americans say coronavirus is a major factor in their summer plans**. Nearly three-quarters of Americans say they'll probably or definitely go on vacation this summer (*The Washington Post*).

NEW YORK CITY: COVID-19 cases in New York City have plateaued, signaling that the latest surge is at least slowing, if not over. An ABC News analysis of city data shows 4,204 confirmed and probable cases were recorded on May 24 -- the latest date for which data is available -- with a seven-day rolling average of 3,312. Additionally, the seven-day average of hospitalizations has dropped 15.4% (*ABC News*).

AMERICA: COVID hospitalizations and deaths may be down from their surge peaks, but the nation's hospitals and clinics still face a population in crisis: the healthcare workers themselves. Professional burnout and frustration, pre-existing conditions before COVID, were aggravated by the pandemic, resulting in mental health challenges for some healthcare workers; resignations and early retirements for others; and a jolt to morale overall (*USA Today*).

ARIZONA: TGen – Translational Genomics Research Institute – says it has started testing animals in captivity and out in the wild for the virus that causes COVID-19. Crews are working with zoo vets, the Arizona Game and Fish Department, and the U.S. Department of Agriculture to conduct routine monitoring. There have been no positive cases of COVID so far and not much evidence that animals can easily spread COVID to humans, they say surveillance is important to help monitor for future outbreaks and check on the spread of other zoonotic diseases (*KPHO-TV*).

DENVER: As Colorado experiences another spike in COVID-19 cases, a Denver-based doctor, who's been working to educate his community for years, says rapidly spreading misinformation in the Hispanic community has people shying away from getting the vaccine. "Since the vaccination campaign was started for COVID, unfortunately, the Hispanic population has not been responding well," Dr. Hector Frisbie said. Frisbie has been an ambassador since December of 2020 for the Colorado Department of Public Health and Environment, educating the public in both English and Spanish (*KCNC-TV*).

AMERICA: *Paxlovid* is being prescribed to try to keep high-risk COVID patients out of the hospital. But the CDC is warning of potential "COVID-19 rebound" after a five-day course of the treatment. After a patient recovers, rebound has been reported to occur two to eight days later. Still, the CDC says the benefits of taking *Paxlovid* far outweigh the risks. Among unvaccinated people at high risk for severe disease, it reduced the risk of hospitalization and death by nearly 90% (*CBS News*).

NORTH CAROLINA: The number of COVID-19 outbreaks in North Carolina's nursing homes has increased markedly since late April. There were 195 nursing homes on the weekly outbreak list released by the state Department of Health and Human Services – a 75% increase in the five weeks since April 26, when there were 113 (*WNCN-TV*).

COVID-19, 05/29/2022

Global Cases – Deaths
531,911,743 – 6,298,942

U.S. Cases – Deaths
84,762,022 – 1,008,575

221.4– 67% of the country's population

Johns Hopkins University

COVID Deaths Near Lows Older Americans Still at Risk

Covid-19 deaths in the U.S. are hovering near 300 a day, the lowest levels since the pandemic hit, showing how a population with built-up immune protection is less at risk of severe outcomes even as another wave of infections flows through the country.

The daily deaths are again more concentrated among older people, underscoring hazards for the more vulnerable while the overall population appears less at risk.

The third-leading cause of death in 2020 and 2021 after heart disease and cancer, Covid-19 has killed nearly three-quarters of a million people in the U.S. aged 65 and over.

The Wall Street Journal, 05/26/22

Long COVID = 20% of Infected Population

New research from the CDC has found that long COVID is more common than most people realize.

researchers analyzed electronic medical records of nearly 2 million people and compared people who were diagnosed with COVID-19 in the first 18 months of the pandemic to those who had never had the virus.

The study found that one-in-five adults under the age of 65 has the condition. In people aged 65 and up, 45% who had COVID-19 developed new health issues, compared to 19% of those who didn't have the virus.

CDC, MMWR, 05/27/22

First It Was Nursing Homes, CMS Now Going After Hospitals

CMS is going to more closely monitor and inspect hospitals with high COVID-19 infections after cases spiked to record highs this year.

The new emphasis follows months of intense federal scrutiny during which regulators and public officials have singled out nursing homes for major reforms.

COO Jon Blum at CMS said, "We have really pivoted to a world where we are going to be surveying and holding facilities compliant."

Blum said CMS will focus on facilities with Covid outbreaks, taking into account patient and health workers' safety complaints, a change from the agency's "less rigorous" process early in the pandemic.

Politico, 05/26/22

SNF Company Partnering In Alzheimer's Drug Trial

Principle LTC, operator of 45 nursing homes in the Southeast, is entering into clinical trials of a new Alzheimer drug.

Principle is again partnering with Care Access, the company that brought Eli Lilly's monoclonal antibodies to Principle patients during the pandemic.

The goal is to bring staff, resident families and residents without an Alzheimer's diagnosis into the clinical trial process, improve access to the treatment and build the nursing homes' reputations in the communities they serve.

To start, Care Access will provide a medication, believed to remove brain plaques associated with Alzheimer's, to one Principle SNF in North Carolina.

McKnight's, 05/31/22

Providers Getting In Their 2-Cents Worth

With more than 10 days to go during the comment period for 2023, at least 2,100 comments had been posted to the Federal Register, many of them urging the CMS to shift its strategy.

CMS is taking comments through June 10.. Many are warning CMS about potentially dire outcomes if the 4.6% adjustment is made all at once in fiscal year 2023.

The comments are running well ahead of the 344 comments posted for fiscal year 2022 Skilled Nursing Facilities Prospective Payment System proposed rule and just 48 comments ahead of the 2021 SNF PPS proposed rule.

McKnight's, 05/31/22

ONE COLUMN

As Medicare Advantage Grows So Do Hard-To-Fight Denials

In addition to sagging Medicare Advantage payment rates, some skilled nursing providers also find themselves routinely doing battle to get paid for services they've already delivered.

The reimbursement challenges are affecting the bottom line, and in some places, they're starting to limit patients' access to care, operators and billing, experts warned. Not only are many seeing managed care plans increase payment denials, some observers say they're often doing it without justifiable cause.

"The Medicare rates are going up, but the managed Medicare, the Medicaid Advantage payment rates are coming down for the same patient," said Maureen McCarthy, RN, BS RAC-MT, president and CEO of Celtic Consulting.

MDS and billing teams "know the reasons they're being denied payment are incorrect and don't go along with CMS regulations or the RAI manual," McCarthy added. But she said many claims teams she works with feel helpless to fight back.

Last month, the Office of the Inspector General blasted Medicare Advantage organizations for improperly denying or delaying services to beneficiaries to increase profits.

In a spot check of limited records, it found 13% of prior authorization requests that MA plans denied met Medicare coverage rules, and 18% of payment requests that were denied met Medicare coverage and billing rules.

Still, it's unclear how often skilled nursing operators in particular are being denied, how many get those denials reversed upon appeal, or how much denied claims are costing them.

"It is insurer-specific," McCarthy said. "Some of them are fine; they follow the rules; they do the right thing. Some are not. It's frustrating for the staff at the facility level. They've got enough going on."

McKnight's, 05/19/22

She's Charged with Stealing Money from Residents

A woman who was employed at a Rochester, Minnesota assisted living center has been charged with stealing money from four of its residents.

The criminal complaint against 26-year-old Chelsey Struckmann indicates she used her position as representative payee to access the residents' financial accounts.

Struckmann's supervisor told police *"that she was conducting an audit of victims' bank statements and balance sheets when she observed discrepancies indicating all four victims had money missing.*

The money was taken between November 2020 and March 2021. It totaled \$6491.75.

KROC-AM, 06/02/22

Union Pickets Over SNF "Related-Party" Concerns

Leaders with 1199SEIU United Healthcare Workers East is accusing nursing home chain Elderwood with over 30 east coast SNFs, of using related-party transactions to increase profits instead of appropriately providing for residents and workers.

"Related-party transactions," 1199 said, is used by for-profit nursing home owners who also own other companies that supply services to SNFs solely for the purpose of charging for those services.

The union levied the "related-party transaction" allegations over the weekend during multiple protests outside of several facilities owned by Elderwood.

McKnight's, 06/02/22

Fraud And Abuse Protections Limit Access to Home Health

A recent Bipartisan Policy Center (BPC) report suggests that despite the growing demand for home health services, fraud and abuse guardrails often limit access to that Medicare benefit.

The Medicare home health benefit does not sufficiently address the needs of

beneficiaries with multiple comorbidities or complex conditions. The report indicates that is largely due to the fraud and abuse guardrails.

While the increased oversight helped to decrease inappropriate care, an uptick in audits and medical necessity denials also made it more difficult for Medicare beneficiaries with complex needs to receive care services.

Deadly Fired in Czech Republic Nursing Home

Two people died and more than 50 others were injured after a fire broke out at a nursing home for Alzheimer's patients in the Czech Republic.

The regional rescue service said they had used ladders to evacuate 56 patients from the home in Roztoky, a town just north of Prague.

A total of 54 were injured. Two remain in critical condition.

Nearly 100 firefighters battled the blaze.

Euronews, 06/02/22

Less Direct Care Required in Many States

Nearly a dozen states have changed their minimum staffing requirements for nursing homes in response to the COVID-19 pandemic.

Five of those (Arkansas, Connecticut, Massachusetts, New York and Rhode Island) have permanently increased their minimum staffing requirements.

Rhode Island adopted the largest increase, from 0.32 hours of direct care PPD pre-COVID to 4.1 hours per resident day.

Oregon and South Carolina have temporarily decreased their minimum staffing ratios to compensate for staffing shortages.

Florida decreased its minimum staffing requirements for certified nursing assistants from 2.5 hours per resident day to 2.

Kaiser Family Foundation, 05/16/22

Briefly in the News

Between 2011 and 2017 Latino older residents' use of nursing homes increased by 20.47% and Black residents increased by 11.42%, whereas there was a 1.36% decrease in White residents' use of NHs. In this 7-year span, there was a 4.44% and 6.41% decline in the number of NHs that serve any Black and Latino older adults, respectively, compared with a 2.26% decline in NHs that serve only White older adults (*LTC Focus*).

A major shakeup at ProMedica. Top officials who have been removed include CFO Steve Cavanaugh, CFO senior care division Matt Kang, Murry Mercier, chief information officer; and Jason Perry, VP of corporate development. ProMedica's senior care division reported an operating loss of \$93.1 million for the fourth quarter of 2021 (*Senior Living*).

North Carolina hospital system Mission Health will fund a full-time nursing faculty position at Western Carolina University and two area community colleges to help each of the schools serve more students who want to become nurses. The three nursing faculty positions that Mission Health is funding means 10 additional students will be able to enroll in nursing programs at each of the schools each year (150 additional students) over the five-year course of the partnership (*WCU Stories*).

Healthcare employment climbed by 34,300 jobs in April 2022; the low estimate of March job growth was revised up to 23,300 jobs from 8,300 jobs. Although healthcare employment is increasing, the figure is still well below pre-pandemic numbers (*Altarum-HSEI*).

Trinity Health has named Janice Hamilton-Crawford president and CEO of Trinity Health Senior Communities, effective June 6. The promotion makes Hamilton-Crawford the first Black woman to be named president and CEO of a Trinity Health national division. She succeeds Steve Kastner, who announced his retirement last year (*McKnight's*).