



## Life Plan Community Weekly: Recap of LeadingAge Updates

June 25, 2021

**Coronavirus Update Call: Frontline worker recruitment, retention, communication as we come back from COVID. And what are the perceptions of older adults about LTSS and post-acute care, what can providers do to change things?** As a reminder, we are now hosting calls on Mondays and Wednesdays. **Monday, June 28** we will have an engaging discussion on how we can help to support and strengthen certified nurse aides and other front line staff. **Lori Porter**, CEO of the National Association of Health Care Assistants (NAHCA) will help us unpack the challenges of frontline staff recruitment and provide best practices for LeadingAge members to retain staff. All calls are at 3:30 PM ET. If you haven't signed up yet, you can join the calls by [registering here](#).

**President, Bipartisan Group of Senators Agree to First Piece of Infrastructure Package.** President Biden joined a bipartisan group of Senators to endorse a \$1.2 trillion Bipartisan Infrastructure Framework. The plan emphasizes infrastructure investments with an emphasis on simultaneously combatting climate change and expanding racial equity. President Biden, during a White House event to announce the long-negotiated agreement, made clear it is one or two parts of his infrastructure vision. The second part, which Congress must use its reconciliation process to enact due to lack of Republican support, must occur "in tandem" with any passage of Bipartisan Infrastructure Framework outlined, President Biden said, publicly committing to a two-track system to get both bills passed. The Bipartisan Infrastructure Framework includes funding to modernize and expand transit and rail networks, repair and rebuild roads and bridges, build a national network of electric vehicle chargers along highways and in rural and disadvantaged communities, electrify thousands of school and transit buses, eliminate the nation's lead service lines and pipes to deliver clean drinking water to up to ten million American families and more than 400,000 schools and child care facilities that currently don't have it, connect every American to reliable high-speed internet, and upgrade the nation's power infrastructure. The second part, to be accomplished via the reconciliation process, is expected to include the affordable housing, Home and Community Based Services, and other "care economy" pieces of the Biden Administration's American Jobs Plan. Read more about today's announcement [here](#). Read more about LeadingAge's goals for the parallel American Jobs Plan infrastructure [package](#).

**Better Care Better Jobs Act Introduced.** Senator Bob Casey (D-PA), Chairman of the U.S. Senate Special Committee on Aging, Senate Finance Committee Chairman Ron Wyden (D-OR) and Democratic Leader Chuck Schumer (D-NY), along with Chair of the Health, Education, Labor, and Pensions Committee Patty Murray (D-WA) and Senators Tammy Duckworth (D-IL), Maggie Hassan (D-NH) and Sherrod Brown (D-OH) introduced the Better Care Better Jobs Act, a key element of President Biden's American Jobs Plan. A total of 40 Democratic senators signed on as original co-sponsors to the bill. U.S. Representative Debbie Dingell (D-MI-12), Chairman of the House Energy and Commerce Committee Frank Pallone (D-NJ-6) and Representatives Jan Schakowsky (D-IL-9) and Doris Matsui (D-CA-6) introduced the House companion.

This bill represents Congress following through on supporting the President's commitment to propose to make a significant investment in home and community-based services (HCBS). The Better Care Better Jobs Act would provide states with a permanent, enhanced federal Medicaid match for HCBS of 10% if they carry out certain activities that will support expanding access to HCBS and strengthening the direct care workforce. The President and Democratic Leadership have committed to moving the bipartisan agreement and a reconciliation bill in tandem and we anticipate that the Better Care Better Jobs Act would be a central component of a reconciliation package. The section by section can be found [here](#) and the legislative text can be found [here](#).

**NHSN Reporting Data.** CMS updated the data reporting site to display NHSN reporting for the week ending 06/13/2021. Find the new data set [here](#). Recall that enforcement of this requirement was delayed to 06/21/2021; however, you may have received a warning letter from CMS in your CASPER folder on 06/14/2021 if no data or incomplete data was submitted by 06/13/2021. Remember: in order to be compliant with this requirement, you must submit data every week on all required fields. Be sure you are reporting vaccination data in the long-term care COVID-19 vaccination module, and if a given required field does not apply, enter "0" rather than leaving it blank.

**NHSN Confusion:** The latest NHSN reporting requirements are confusing and the frustration is bubbling over with members who are trying to comply and receive the negative surprise of being reported non-compliant. We will be submitting comments to the federal register on the interim final rule, but in the meantime, we've reached out to CDC and CMS to gain clarification and share some of the issues we're hearing.

- **What SAMS level is required for vaccination reporting?** Only SAMS Level 1 is required for vaccination reporting, because the reporting is aggregate, nursing home-level reporting, not individual, patient-level reporting. If you are being denied access at Level 1, double-check to be sure you are reporting in the correct module. There is a COVID-19 vaccine reporting module under the Healthcare Personnel Safety (HPS) module that is intended for hospitals and requires Level 3 access. Nursing homes should be reporting under the Long-Term Care Facility (LTCF) module which requires Level 1 access.
- **What reporting weeks are being cited and penalized?** Our understanding is that providers will only be cited and penalized for non-reporting beginning with week ending 06/20 and going forward. We have reached out to CMS to clarify/confirm.
- **How can we correct the problem if we can't see the problem?** Providers were notified of non-reporting beginning with week ending 06/13 and penalties were enforced for non-reporting with week ending 06/20; however, the latest publicly available data is 06/06. Without seeing the data and with no explanations of the problem, it has been challenging to correct reporting issues. We have reached out to CMS regarding this issue with no opportunity to correct.

**Older Workers legislation passes the House.** The House passed HR 2062, Protecting Older Workers from Discrimination Act, by a vote of 218-205 (it was packaged with several other bills, including a bill on contraception and a bill on LGBTQ equality). This bill deals with the standard of proof that older workers must show to prove discrimination on the basis of age.

**Assisted Living Regulations in Georgia – a trend?** Assisted living and personal care home operators in Georgia are facing regulatory reforms after the state legislature passed a bill imposing staffing, training and financial reporting requirements. The coronavirus pandemic led Peach State lawmakers to pursue reforms, but industry representatives called for critical updates to [House Bill 987](#), also known as the

Disabled Adults and Elder Persons Protection Act of 2020 before it went into effect. The bill was signed by Gov. Brian Kemp on June 30, 2020, and was effective immediately.

**Senior Living Investments.** With senior living occupancy seemingly [having bottomed out](#) and now trending upward for several providers as the effects of the pandemic wane, [more good news](#) came for the senior living industry, especially assisted living, from the JLL Valuation Advisory's fourth annual [Seniors Housing Investor Survey and Outlook](#). Respondents — investment sales professionals and those representing debt providers, private equity and real estate investment trusts — identified assisted living as the most sought-after investment opportunity in 2021.

**Proposal for \$400 Billion to be released soon.** We have learned that legislation implementing the President's \$400B HCBS proposal will be introduced shortly. Advance copies of the **one-pager and section-by-section** can be found [here](#). The bill is the Better Care Better Jobs Act (a name similar to the Better Jobs Better Care demonstration work led by Robyn Stone about 20 years ago, funded by HHS and the Robert Wood Johnson Foundation). Senators Casey, Wyden and Schumer, along with Senators Murray, Duckworth, Brown and Hassan, and Representatives Dingell, Pallone, Schakowsky and Matsui will introduce the bill in both Houses. The **Better Care Better Jobs Act** will make President Biden's bold vision to expand home and community-based services (HCBS) infrastructure, a key component of the American Jobs Plan, a reality.

**Member Technology Tales.** As we launch the [LeadingAge Story Collector](#), powered by Greystone, we are focused on stories about technology. Throughout the pandemic, we've seen how technology is critical to empowering older adults and helping them age well--both at home and in residential settings.

We're looking for compelling technology stories that can answer these questions:

- How was the technology received by your staff, older adults and families?
- What allowed you to adopt the technology?
- What lessons did your organization learn from the experience?
- What is a specific benefit to or impact on your organization and/or those you serve?

[Tell us your story now!](#)

**From the LeadingAge Story Collector: A Tale of Creative Resident/Family Engagement .** [Miravida Living](#) used the Collector to tell us a great story about how staff used simple software tools it already had on hand to help residents, staff, and family to stay in touch during the pandemic. [Read the whole inspiring story](#), and then use the [Story Collector](#) to tell us yours! Submissions don't have to be perfect; LeadingAge staff will circle back to gather more details and information.

**Person-Centered Care Is the Future.** You can help set the standard for person-centered care. [The Mayer-Rothschild Foundation Designation of Excellence in Person-Centered Long-Term Care Project](#) is developing a first-of-its-kind national standard of excellence for person-centered care in long-term care and assisted living settings. In the upcoming months, the project team will be collecting information from residents and from organization staff and leadership about all aspects of person-centered care.

As part of its initial outreach and information-gathering effort, the project is currently recruiting settings to participate in a Message Board Activity with residents as described in the attached poster. [Learn more about how you can help set the standard for person-centered care.](#)

**NEW Communications Resource for the Care Economy Discussion.** Older adults and aging services are in the national spotlight, as the Biden Administration unveiled a monumental care economy proposal with significant resources for home and community-based aging services, affordable senior housing, broadband and more. We have an unprecedented opportunity to secure resources for older adults!

To help you speak out for this proposal, LeadingAge produced [Guidance for Leveraging the Public Conversation on Older Adults and the Care Economy](#). The document provides four pieces of strategic communications advice relevant to the national care economy discussion. We encourage you to engage in the public debate, following this guidance. This strategic advice is based on original LeadingAge research, conducted as part of our new initiative Opening Doors to Aging Services, which will build public awareness and understanding of our field. ***All references to LeadingAge research are confidential.*** [Read the guidance now.](#)

**Why You Should Prioritize Creating and Maintaining Outdoor Spaces.** Being in nature—or simply being able to view it—can reduce stress, decrease cortisol levels, and even lower blood pressure. With summer in full swing, now is the time to think about how your community can construct or optimize outdoor areas that deliver big benefits. This [11-minute QuickCast](#) can help you get started, with expert tips about what to consider when planning or renovating spaces. Free to access for LeadingAge members.