



Nursing Home Weekly: Recap of LeadingAge Updates

July 1, 2021

NO COVID CALL ON MONDAY, JULY 5 in observance of the Independence Day Holiday. Did you know that between now and 2040 almost ALL net household growth will be from senior households -- those headed by a person age 65 or older? ...that homeownership is going to fall for every age group and especially for African American households? It doesn't take a lot of future insight to see that this is going to matter a great deal to the future of aging services organizations. **Join us on Wednesday, July 7 at 3:30 PM to hear from Laurie Goodman, from the Urban Institute** about the latest projections for senior households, as outlined in the recent report, "[The Future of Headship and Homeownership](#)," and what aging services providers can do to prepare. If you haven't signed up yet, you can join the calls by [registering here](#).

Better Care Better Jobs Action Alert. This week, LeadingAge sent an email alert to all members asking them to send their support to Congress for the Better Care Better Jobs Act and its investment in HCBS and the direct care workforce. The message is simple:

Congress Needs To Pass The Better Care Better Jobs Act for Care In The Home and Community. The U.S. Senate and U.S. House have introduced the Better Care Better Jobs Act that will make a significant investment in home and community based services and strengthen our direct care workforce. We now have the opportunity to invest \$400 billion in home and community-based services as Congress considers this new legislation alongside the continuing negotiations on infrastructure for our care economy.

Please ACT NOW by contacting your U.S. Representative and Senators and urging them to invest in our aging services infrastructure by visiting <https://mobilize4change.org/rEB4M16>

OSHA Emergency Temporary Standard and LeadingAge virtual update posted. LeadingAge has posted a [virtual update on the OSHA Emergency Temporary Standard](#) for healthcare settings live on its Learning Hub. The virtual update is free for LeadingAge members. The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) [emergency temporary standard](#) (ETS) for healthcare settings was published in the federal register last week-- triggering the compliance dates for the provisions of the standard. Employers must comply with most provisions by July 6th, and with provisions involving physical barriers, ventilation, and training by July 21st. OSHA pledged to use its enforcement discretion to avoid citing employers who are making a good faith effort to comply with the ETS. A [summary of the ETS](#) outlines its requirements, most of which providers are already doing in addressing the COVID-19 pandemic. OSHA has created many tools on its [resources page](#) to assist employers in compliance.

Provider Relief Funds Reporting Portal to Open July 1. On July 1, HRSA is scheduled to open the reporting portal for submitting reports. Along with this, they will be posting additional resources to assist providers in using the reporting portal, and reporting data. Providers should not seek to submit a report right away. Although providers can begin reporting when the portal opens on July 1, the first reports are not due until September 30, 2021. It is important that we all fully understand what information needs to be submitted, for what time periods and what documentation must be retained to support these reports. Our plan is to

identify the new resources and information that HRSA makes available tomorrow. We will undertake reviewing and analyzing these new resources and provide members with our synthesis but this won't happen overnight. We expect the information to result in additional questions that we will work to get answered with HRSA. We will write some articles in the weeks to come to help breakdown the information, answer questions and point out the important pieces for members. However, the best opportunity to understand the reporting requirements and reporting through the portal will come at **our LeadingAge "Complying with New Provider Relief Fund Reporting Requirements" webinar on July 27 at 2:00 PM ET, where CLA will lend their accounting and auditing expertise to this discussion.** There will be ample time for members to ask questions as part of this live webinar. Sign up at this [registration link](#).

Emergency preparedness for nursing homes. As a reminder, QSO MEMO 20-41-ALL, revised on June 21, 2021, is the guidance related to Emergency Preparedness exercise exemption based on a facility's activation of their emergency plan. LeadingAge reviewed the top 5 citations for EP tags cited by CMS during a health or separate EP survey.

- #1 F 24 Policy and Procedures for volunteers and staff during an emergency
- #2 F 37 EP Training Program
- #3 F 39 EP Testing
- #4 F 41 LTC Emergency Power - emergency generator
- #5 F 30 Names and Contact Information

Please review the EP regulations and guidance to be compliant in all areas. LeadingAge will continue to monitor and share updates on 3:30 calls, Need to Know, our website and other venues.

Essential Caregivers Program Legislation Introduced. Wednesday, Reps. Claudia Tenney (R-NY), John B. Larson (D-CT), and John Rutherford (R-FL) introduced the Essential Caregivers Act (H.R. 3733), a bipartisan bill that would ensure residents living in long-term care facilities have continued access to their Essential Caregivers in the event of a future public health emergency. The legislation amends the Social Security Act to create an Essential Caregiver Program that grants residents in long-term care facilities the right to designate two essential caregivers to be permitted access to the resident. This bill upholds safety and health standards to protect residents, staff, and caregivers from any increased risks. Additional background on the Essential Caregivers Act:

- Up to two individuals can be designated as an Essential Caregiver by a facility resident in the event of a public health emergency. Caregivers can visit the resident for 12 hours each day.
- The program applies to skilled nursing facilities, nursing facilities, intermediate care facilities, and inpatient rehabilitation facilities. Any such facility receiving Medicare and Medicaid funding is required to participate in the program.
- An Essential Caregiver is defined as an individual who provides direct care consisting of activities of daily living, emotional support, or companionship to a resident.
- Access to Essential Caregivers allows quality care for the resident, transparent and timely communication with medical professionals, the right to advocate for the patient, the right to participate in developing treatment plans, and the right to visitation. Such access also ensures civil rights and individual liberties are not violated.

COVID-19: Disaster Preparedness and Vulnerable Populations: A Workshop Series. This virtual workshop offered by the National Academies of Sciences, Engineering, and Medicine will be held over two remaining webinars. On July 1, the second webinar will focus on home health workers who provide services to

individuals living with disabilities and older adults. On July 15, the third webinar will consider the needs of individuals living with disabilities and older adults and efforts to include these populations in disaster planning. [Register online.](#)

From HHS:

CDC Guide to Masking: CDC updated their [guide to mask-wearing and cleaning](#). If you are [not fully vaccinated](#) and aged 2 or older, you should wear a mask in indoor public places. The update includes basic general guidance, such as not needing to wear a mask in outdoor settings. In areas with [high numbers of COVID-19 cases](#), one should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated. If one is fully vaccinated and has a condition or is taking medications that weaken his or her immune system, one may need to keep taking steps to protect oneself, like wearing a mask.

The Impact of the COVID-19 Pandemic on Medicare Beneficiary Utilization and Provider Payments: ASPE [released a report on COVID-19's impact on Fee-For-Service \(FFS\) Data for the Medicare Beneficiary Utilization and Provider Payments](#) in 2020. Medicare FFS beneficiary service use and associated payments to providers dropped substantially from mid-March through mid-April, but had returned to near-2019 levels by the fall of 2020. The rebound in the fall was not sufficient to offset the earlier declines in the spring, and cumulative payment levels across all states were lower in 2020 compared to 2019. A surge in telehealth helped offset some of the pandemic-related reduction in primary care visits, but it was not enough to prevent lower overall rates of primary care that persisted throughout 2020.

Congressional Update. The Senate is on recess for July 4 (for the next two weeks until July 12th). The House is in session this week and working on FY2022 subcommittee appropriations markups and we will keep you informed on this work as it relates to our priorities. A two-track approach to infrastructure continues. The President and Congressional leadership continue to look for ways to move forward both the bipartisan infrastructure bill, which would focus on “hard” infrastructure like transportation, roads, and broadband while preparing for a large reconciliation package that would address the proposals laid out in the President’s American Jobs and Families plans. We will continue to push out action alerts and other information to help promote our priorities.

CMS Webinar on Driving Quality. The Centers for Medicare & Medicaid Services (CMS) is pleased to invite the public to attend its upcoming webinar titled ***Driving Quality in the US: How CMS Evaluates its Measure Portfolio***. Quality measures are an important tool that CMS uses to assure quality healthcare for beneficiaries—but how does CMS make certain that the measures in its portfolio are effective? This webinar will walk audiences through CMS tools and processes, specifically the MMS Blueprint, Pre-rulemaking process, Quality Measure Index, and Impact Assessment, to evaluate the quality of its quality measures throughout the measure lifecycle. The webinar will also provide information about key quality measurement resources available to the public. The webinar will be offered twice in July:

- Tuesday, July 13, 2021, from 1:00 p.m. – 2:00 p.m., ET ([Register here](#))
- Wednesday, July 14, 2021, from 3:00 p.m. – 4:00 p.m., ET ([Register here](#))

Please register in advance if you can attend, as space will be limited. We request that you please only register for an event if you plan to attend. We hope you can join us and look forward to your questions! For questions about the webinar, please contact MMSSupport@battelle.org

NEW Resources: Public Opinion Poll: U.S. Attitudes About Investing in Aging Services for Older Adults

We all know that American families face a crisis as millions are growing older without access to much-needed affordable care and support. To help bolster the case for greater public investment in aging services, LeadingAge commissioned [a national survey](#) that finds overwhelming backing for government investments to support older adults. Significant majorities of Americans across political party affiliations and geographic areas want action now—as the Biden Administration and Congress negotiate infrastructure and care economy proposals.

Now is the time to raise our voices to ensure that aging services proposals remain a part of legislation that advances. LeadingAge has prepared a suite of tools—including media outreach templates and social graphics—for your use in informing local media, elected officials, coalition partners, and community members about this timely opportunity to expand support for older adults. [Get the findings and sharing tools now!](#)