



Nursing Home Weekly: Recap of LeadingAge Updates

June 10, 2022

Monday Coronavirus Update Call. New vaccines, new boosters, and new variants as we head into summer, what does it all mean? On **Monday, June 13**, at 3:30pm ET, we will be joined by **Dr. Jeffrey Shaman**, professor, Environmental Health Sciences (in the International Research Institute for Climate and Society/Earth Institute), and director, Climate and Health Program, Columbia University, to discuss what we can expect and to answer your questions about new boosters and vaccines. If you haven't registered for LeadingAge Update Calls, [you can do so here](#). You can also find previous call recordings [here](#). Note that to access recordings of the calls you need a LeadingAge password. Any staff member of any LeadingAge member organization can set up a password to access previous calls and other "members only" content.

LeadingAge comments on FY 2023 SNF PPS proposed rule: LeadingAge submitted comments to the federal register on the FY 2023 SNF PPS proposed rule. We opposed the PDPM parity adjustment, citing increased cost of care related to increased acuity, inflated cost of supplies and PPE, and increased staffing costs. We supported a permanent cap on wage index decreases, consistent with our comments on the Hospice proposed rule. We supported a change to infection isolation coding to include residents who are cohorted during active infection, and commented on several aspects of the SNF QRP and VBP programs. We provided feedback on mandatory minimum staffing centering on the fact that standards must be based on a current, relevant, staffing study and that CMS and other government partners must actively invest in the workforce instead of simply penalizing providers for the staffing crisis. Read full comments [here](#) and thank you to the members, state execs, and state staff who provided feedback.

Money Follows the Person Expands Access to Short-Term Housing Assistance. A new [article](#) in Health Affairs looks at CMS' announcement from March 2022 that the Money Follows the Person demonstration will now allow participating states to pay for short-term housing assistance. Money follows the person helps states increase the use of home and community-based services by transitioning people with disabilities, including older adults, out of nursing homes. The new flexibilities can be used to support rental and utility costs along with housing-related support services. This is a recognition from CMS of the difficulties many individuals face in securing housing. The article reviews how the funds can be spent on housing search supports, paying for short-term rental assistance, and tenancy support services.

Senate Bill Would Require Study on Nurse Staffing Agencies. On June 6, Senator Kevin Cramer (R-SD) introduced legislation requiring a GAO study of nurse staffing agencies' impact on the healthcare field during the COVID-19 pandemic. LeadingAge supports this legislation. If enacted, the *Travel Nursing Agency Transparency Study Act* ([S. 4352](#)) would require GAO to conduct a study and report to Congress, within one year, on the business practices and the impact of hiring "travel" nurse agencies across the healthcare field during the COVID-19 pandemic. This LeadingAge [article](#) provides information on what the bill requires GAO to assess and links to a letter that LeadingAge and several long-term care and

healthcare organizations sent to the White House COVID-19 Response Team requesting the federal government to look into exorbitant nurse staffing agency rates that came into practice during the COVID-19 pandemic. The article also has a link to a letter LeadingAge wrote to the FTC urging them to investigate nurse staffing agencies' conduct as a potential violation of antitrust and/or consumer protection laws. The article also links to a chart compiled by LeadingAge listing state bills that place prohibitions on price gouging by staffing agencies.

CDC Launches Heat Tracker. The Centers for Disease Control and Prevention (CDC) released its newest version of the [heat and health tracker](#), an interactive map showing the number of emergency room visits linked to heat in different counties on a weekly and daily basis. The tool also has a monthly forecast map which displays expected number of days in the next month at or above a dangerous level of heat. Aging services providers can utilize this tool to identify older adults in areas with high rates of ED use and number of expected days above a dangerous level of heat to implement precautionary measures for older adults who may be at risk of heat related illness. Last summer, several heat waves hit multiple areas of the U.S. resulting in hundreds of deaths.

Federal Partners Take on the WEAAD 6-1-5 Challenge - [World Elder Abuse Awareness Day \(WEAAD\)](#) is June 15, 2022. The #WEAAD615 challenge encourages people around the world to engage their friends, family, and colleagues by sharing facts about elder abuse and how to prevent it. This year, federal agencies will take on this challenge by sharing 6 facts about elder abuse, 1 action the agency will take, and 5 resources or tips you can use to promote elder justice. [Click here](#) to register for a virtual event on Wednesday, June 15, 1:00 - 2:00 PM ET to hear from ACL, the National Center on Elder Abuse and Senior Medicare Patrol National Resource Center, and federal partners including the Elder Justice Initiative at the Department of Justice, the Securities and Exchange Commission, the Social Security Administration, and the Consumer Financial Protection Bureau.

Music Licensing 101. Hawaiian luau nights, birthday dinners, and employee parties. When do you need a music license – and how does it all work? We've written a new [article](#) on the basics of copyright law and music licensing organizations to help members navigate an increasingly complex decision on whether and when to obtain a license.

State by State Face Mask Mandates: Over the course of the pandemic, 39 states, Puerto Rico, and the District of Columbia had orders broadly requiring people to wear masks in public. Eleven states did not impose mandates at any point. Several states, including Florida, Iowa, Montana, Tennessee, and Texas, have moved via legislation or executive action to prevent local governments and school districts from mandating. Where there are no state or local requirements, businesses and other private entities may set their own mask policies. [Here's](#) where each state stands on the use of face masks as of June

Interested in Pursuing a Master Plan on Aging in Your State? The Center for Health Care Strategies released a new tool today, [Developing a Master Plan for Aging](#). Many LeadingAge state partners and members have watched California develop, promote and begin to take action on a Master Plan on Aging (MPA). An MPA is a cross sector, state led strategic planning resource that can help states transform the infrastructure and coordination of services for their rapidly aging population, as well as people with disabilities. Stakeholders, even those in states that might have developed more traditional aging plans in the past, see hope for more progress and organized strategies through this approach. The new tool outlines the core tenets for how to develop an MPA in your state, with best practices and state examples throughout.

MPLC Licensing Article. The Motion Picture Licensing Corporation has compiled a resource on copyright compliance for aging services providers who play movies, music, or TV in their settings. It is posted [here](#) with permission for the benefit of LeadingAge members.

OIG Reports Underway. LeadingAge met with the HHS Office of the Inspector General to get more information on OIG outreach to select nursing homes to learn more about their use of PRF dollars. We learned this is one of several efforts underway by the HHS OIG but this particular effort is very limited in scope. It will only encompass 6 geographies and 12 nursing homes total. The geographies include: Springfield, MA; Coeur D’Alene, ID; Marion County, GA; the White Earth Nation and Jicarilla Apache Nation. It was unclear why these particular areas were selected though key congressional leaders come from at least two of these areas. The information collected by HHS OIG from interviews with leadership, direct care staff and resident representatives from the 12 nursing homes will be aggregated and reflected in two reports. The first report will encompass a look at the use of a variety of COVID-19 funds in the identified communities and will include information from other U.S. agency OIGs (e.g. Small Business Administration, Treasury). The second report will be completed by HHS OIG who intends to identify themes from their interviews regarding the value of the PRF funds, their uses and whether the PRF was adequate to cover the financial challenges nursing homes have faced during the pandemic. This report is expected to be released in Spring 2023.

The latest HHS Inspector General is Christi Grimm whose appointment was approved in February 2022. She has spent more than 20 years as an employee of OIG and has indicated her number one priority is “improving quality and safety of nursing home care both post-acute and long term care.” OIG staff indicated that she would like to start by understanding nursing home care from every angle culminating in a State of the State report later this year. There was recognition that there is good nursing home care being provided today but it is not universal. Other reports in the pipeline include: a report on the impact of the pandemic on nursing homes (being conducted out of the NY OIG office) and a future forensic audit of a sample of nursing homes looking at how Provider Relief Funds in more detail. HHS OIG staff noted they don’t expect to find problems with how the dollars were used as the uses were fairly broad, but they want to understand their usefulness. They could not say when this audit would commence but will provide LeadingAge with a heads up on timing.

LeadingAge Nursing Home Network. The LeadingAge Nursing Home Network met on Tuesday, May 31. Read a recap of the meeting [here](#). The next meeting is scheduled for Tuesday, June 28 at 2pm ET. Not yet a member of the Nursing Home Network? Go [here](#) to register for our monthly call.

NHSN Webinar – Updates to Event-Level Reporting: CDC will host a webinar on Thursday, June 9, on updates to the new event-level COVID-19 vaccination reporting form. Recall that this is an optional form that replaced the excel data tracking worksheets. Register for the webinar [here](#).

Updated 2022 Spousal Impoverishment Standards: Under the Medicaid spousal impoverishment provisions, a certain amount of the couple's combined resources is protected for the spouse living in the community. Depending on how much of his or her own income the community spouse actually has, a certain amount of income belonging to the spouse in the institution can also be set aside for the community spouse's use. This [link](#) provides the minimum and maximum amount of resources and income that can be protected for a spouse in the community in 2022.

CARF Updated Standards Review. Members are invited to participate in CARF’s annual standards update review. Sections of the Aging Services and the CCRC Standards Manual have been updated for

2023, and member input is sought for field feasibility. Comments are strongly encouraged, especially if any of the new standards present challenges or negative outcomes for participating members. You can participate in the survey by clicking [here](#).

Nominate an Exceptional Colleague for a LeadingAge Award. The LeadingAge annual awards honor individuals who embody excellence in mission-focused aging services and merit national recognition. Nominations are being accepted in three categories: [Award of Honor](#), [RWJF Award for Health Equity presented by LeadingAge](#), and [Joan Anne McHugh Award for Leadership in LTSS Nursing](#). The deadline for nomination is June 17, 2022, so [learn more about the award criteria and submit today](#).