

LPC Weekly Report

Friday, October 29 2021



Highlights for LPCs:

LPC Advisory Group Call Resources Now Available. Did you miss the September or October LPC Advisory Group calls, and wish you could go back and see them? Well, good news, now you can! For September's Middle Market call, here's the [Summary](#), [Notes](#), [Slides](#), [Handouts](#) and [Recording](#). For October's Workforce call, here's the [Summary](#), [Notes](#), [Slides](#) and [Recording](#). And don't miss the next one: Transitions in the Continuum, on Monday, November 15 at 2 PM EST. Email Dee (DPekruhn@leadingage.org) to register.

Limited Deadline Extension for Completing Phase 4 and ARP Rural Provider Relief Application. Providers who submitted their Tax Identification Numbers (TINs) for validation prior to the October 26 application deadline and who subsequently have those TINs validated by the IRS, have until November 3 at 11:59 PM ET to complete and submit the remainder of their application (the financial portion). Providers can access the needed resources to complete the application [here](#).

FSES Waiver Extension, more details. LeadingAge fire and life safety consultant, issued this [bulletin](#) yesterday, explaining the CMS announcement last week that the agency was extending for two years the compliance deadline for providers affected by a Fire Safety Evaluation System (FSES) scoring change. The extension gives providers until November 2023 to come into compliance; more important, it gives CMS time to implement a long-term solution. It's important to point out that providers using the time limited waivers are no less safe; the issue is related to a change in scoring values, not the level of fire and life safety provided.

Members Share COVID-Safe Holiday Plans. As with last holiday season, we have compiled a variety of COVID-safe holiday plans and protocols that members are implementing around the country. Read more about it [here](#), and please feel welcome to send any other member ideas along to [Dee](#). Then, join us next **Wednesday, November 3** on the national call for a dynamic member panel that will discuss the topic in detail.

COVID-19 Related Updates:

EEOC Updates Guidance on Religious Exemptions to Vaccine Mandates. The U.S. Equal Employment Opportunity Commission (EEOC) updated its [guidance](#) on federal anti-discrimination laws and religious exemptions to COVID-19 vaccine mandates. The highlights of the updated guidance include:

- Employees must inform their employer if they are requesting an exception to a vaccination, but they do not need to use any "magic words," such as "religious accommodation" or "Title VII," when making the request.

- An employer should assume that religious accommodation requests are because of sincerely held religious beliefs, but if an employer has an objective basis for questioning an employee's sincerity, the employer could make a limited factual inquiry and seek additional supporting information.
- Employers should consider all possible reasonable accommodations for an employee's religious belief, including telework and reassignment, but the employer is not required to provide the accommodation if it would create an "undue hardship" on its operations.
- An employer that grants some employees a religious accommodation from a vaccination requirement is not required to grant the requests of all employees who seek such an accommodation.
- An employer is not required to provide the religious accommodation preferred by an employee if other possible accommodations exist that also would effectively eliminate the religious conflict and do not cause an undue hardship.

We will continue to monitor this area, especially with the impending publication of the CMS interim final rule on vaccine mandates for Medicare and Medicaid providers and the OSHA emergency temporary standard on vaccine mandates or weekly testing for large employers.

Upcoming LeadingAge Coronavirus Calls. Where are all the workers? Why aren't they coming back? [On Monday, November 1 at 3:30 PM ET, we'll talk with Stephen McCall of the Paraprofessional Healthcare Institute \(PHI\) about their new report on direct care worker displacement and reentry during COVID. We'll get more details on the report and talk with Steven about how aging services providers can retain staff, even when there are higher wage opportunities in other lines of work. The call on Wednesday, November 3 at 3:30 PM ET will feature a great LeadingAge member panel discussion to talk about preparing for the upcoming holidays.](#) We will have a great discussion with Beth Knoll from Rose Villa Senior Living, Marc Zirolli from Seabury Life, and Robin Garnett from Lutheran Senior Services about their planning efforts for Thanksgiving and the holidays in this new environment. If you haven't registered for LeadingAge Update Calls, [you can do so here.](#)

Advocacy Alerts and Hill News:

President Releases Build Back Better Framework....followed by House Rules Committee bill. The White House released its \$1.75 trillion [Build Back Better Framework](#) at 9:00 AM this morning. It is presented in very high level, general terms; the framework did not include details about which of the provisions LeadingAge supports are included and how all the elements are framed and financed. A few hours later the House Rules Committee released its detailed bill; this is the bill the House and Senate will debate and vote on. From the White House perspective **the news looks pretty good for many of our priorities.** In President Biden's speech about the framework, he noted the importance of compromise and negotiation and provided a few more details. "We invest in our people," he said and that is why we "were able to lead the world in the 20th century." In outlining the top points about what's in the framework, **the President started by speaking to the "sandwich generation" – home care was the FIRST substantive point!** He said "we will expand services for seniors so families can get help at home...this is as popular as anything else we are proposing...it's a matter of dignity and pride for

our parents.” He moved on to address the needs of 2 million working women in the US who “can’t work simply because they cannot afford child care” and proceeded to lay out child care subsidies and provisions related to universal pre-K and child care. He talked about grants for community colleges and investments in HBCUs. The Medicare expansions were cut back to hearing checks and hearing aids. He mentioned affordable and available high speed internet as a critical need, within a discussion of jobs creation. The President did not mention any details around the housing provisions. The Administration’s plan also provides \$100 billion for the immigration system, consistent with Senate rules, to reduce backlogs. It is not clear whether there will be an attempt to provide temporary protection from deportation and work authorization for certain undocumented immigrants. Thank you, LeadingAge partners and members for your advocacy on behalf of the people we serve.

House bill, part three. Build Back Better Framework Includes Historic Workforce

Allocations. The Build Back Better Act framework announced by the president continues to include historic allocations that address the workforce crisis that aging services providers are experiencing. The bill makes new investments in long-term care providers and direct care workforce recruitment and retention. There are also new proposals addressing the behavioral health care needs of caregivers and several new initiatives targeted to the recruitment for hospice and palliative nursing and physician training opportunities. An article is available [here](#) and the following are a few highlights:

- \$1.6 billion for Nursing Home Workforce Training Grants
- \$150 billion Medicaid HCBS Expansion (see item 4, above; much of this is for workforce support)
- \$425 million to expand the Health Profession Opportunity Grants
- \$1 billion for Direct Care Workforce Competitive Grants
- \$20 million for Technical Assistance Center for Supporting Direct Care and Caregiving
- \$40 million in Funding to Support Unpaid Caregivers to address behavioral needs of unpaid caregivers
- \$20 million for Hospice and Palliative Nursing initiatives

News from LeadingAge:

2022 Annual Meeting Call for Sessions. Have a great idea for a session that should be part of next year’s LeadingAge Annual Meeting + EXPO, happening Oct. 16-19, 2022 in Denver, CO? You can begin submitting proposals now! Learn more, get answers to common questions, and complete your submission [here](#).