

LPC Weekly Report

Friday, September 17 2021



Highlights for LPCs:

Life Plan Community Town Hall Meeting. Join us for an open forum discussion on the [LPC Policy Priorities](#) and how they impact daily operations on **Tuesday, September 21 at 2:00 PM Eastern**. We will review last year's policy goals, our accomplishments, and talk about what's ahead for the future. Your voice is essential to this conversation, as it will shape our advocacy and policy team efforts in the coming year. To join the discussion, click [here](#).

Save the Date: Next LPC Advisory Group Meeting. The next session of the LPC Advisory Group will be held on **Wednesday, September 29 at 2:00 PM EST**. Guest speakers from National Investment Center and International Council on Active Aging, along with LeadingAge experts, will present trends and information on the Middle Market, with a special emphasis on financial trends and a wellness approach. The LeadingAge Virginia Middle Market Playbook will also be shared and discussed. To register for the call and receive the Zoom link, email Dee at dpekruhn@leadingage.org

COVID-19 Related Updates:

Virtual Update on Addressing Vaccine Mandates and Exemption Requests. We have posted a virtual update for members titled [Addressing Vaccine Mandates and Exemption Requests](#). In this virtual update, attorneys from Lane Powell addresses key legal and operational issues related to mandatory vaccination policies, including medical and religious exemption requests.

Connecting to Pharmacies for Booster Shots. LeadingAge is working with GeriMed, an association of 1300 independent pharmacies in every state except New Hampshire and Delaware, to connect pharmacies to settings in need of on-site booster shot clinics. We are asking affordable senior housing providers to fill out a form to express interest in being partnered with a local pharmacy. Filling out this form does not guarantee you'll be matched with a pharmacy for an onsite clinic and nor does it mean you must partner with any pharmacy you are matched with. This effort is an attempt to introduce aging services providers to pharmacies. Here is the form: <https://survey.alchemer.com/s3/6523530/Booster-Clinics-Pharmacy-Partnerships>

Questions on Biden's Vaccination or Testing Mandate for Private Businesses. As part of President Biden's "Path Out of the Pandemic" plan, he has ordered that employers with over 100 employees ensure their workforce is fully vaccinated or require those that are unvaccinated produce a negative COVID test to enter the workplace. He has directed OSHA to issue an emergency temporary standard (ETS) to implement this requirement. The administration estimates that this will cover over 80 million workers in private sector businesses. We are following how this will coincide with the upcoming CMS vaccine mandate for healthcare providers that are covered by Medicare and Medicaid reimbursement. There are some providers

that do not accept Medicare or Medicaid, but may be subject to the upcoming OSHA ETS on vaccine mandates or testing.

There are many outstanding questions on the forthcoming OSHA ETS including how the Department of Labor will calculate the 100-employee threshold (indications are that they will apply it on a company-wide basis rather than a per location basis), how to address remote workers, what types of testing is allowed, and who pays for testing. There are additional questions on the timelines for implementation, how this interacts with existing union contracts, and more. We anticipate that the OSHA ETS will be issued in the coming “weeks” rather than “days” and will pass along additional information once it is received. The existing OSHA COVID-19 ETS for healthcare providers that was issued in June 2021 remains unchanged and in effect.

LeadingAge Coronavirus Update Calls. Another COVID media star sharing epidemiological and infectious disease information in plain English and interpreting what it means for aging services providers. And some help getting the ball rolling to hold vaccine clinics on site for your residents/service users and staff. On Monday, September 20, at 3:30 PM ET, we will talk with Katelyn Jetelina, who is known as “your local epidemiologist.” She is from the University of Texas and is a frequent commentator and explainer of all things COVID in the media. She’ll talk about what’s going on with the current surge, what it means for schools, hospitalizations and deaths, and what we can expect in coming months. On Wednesday, September 22, at 3:30 PM ET, Bri Morrison of the National Community Pharmacists Association will join the call to provide hands on help for providers looking to connect with local pharmacies for onsite booster clinics (once boosters are available) and generally getting residents and staff vaccinated. If you haven’t registered for LeadingAge Update Calls, [you can do so here.](#)

Advocacy Alerts and Hill News:

E&C Approves Historic Medicaid HCBS Allocations. On September 14, the Energy and Commerce Committee advanced the first three of its six health care reconciliation proposals that is part of the \$3.5 trillion budget reconciliation package.

The health sections are the last of 16 subtitles in the committee's package that it considered after already approving provisions on issues such as energy, the environment, technology and others. The committee will consider the final health care proposal and wrap up their work today. The committee’s a subtitle regarding Medicaid, approved, 30-27, allocates \$190 billion to expand HCBS services for older adults and people with disabilities, as specified in the *Better Care Better Jobs Act*. Although LeadingAge continues to advocate for a budget closer to the \$400 Billion the President requested in the American Jobs Plan, this E&C provision represents a historic investment in Medicaid home and community-based services (HCBS) and strengthens the HCBS workforce.

The Energy and Commerce Committee bill would permanently extend the Medicaid protections against Spousal Impoverishment for recipients of HCBS and provides a permanent extension of the Money Follows the Person Rebalancing Demonstration. More details on the *Better Care Better Jobs Act’s* implications on the HCBS workforce is available in an article, [here](#).

Arizona State Partners Meet with Senator Sinema’s staff – great response. As the House congressional committees wrap up their work on the infrastructure reconciliation bills, it is important that we keep pressure on congressional leaders to keep the numbers in place. Earlier today, LeadingAge Arizona members met with Sen. Sinema and heard that there is not agreement yet on the final numbers and that there is still many things to be decided. Thanks to the leadership from Pam Koester and her members in LeadingAge Arizona we got some good feedback on our policy priorities but nothing is guaranteed yet. Joe is going to be reaching out tomorrow to key state partners to send some specific messages to congressional leaders to maintain the proposed funding levels and avoid any further cuts.

Historic Opportunities to Expand Long-term Care Staffing and Enhanced Medicaid HCBS Services. House Committees have developed pieces of the Build Back Better \$3.5 trillion budget reconciliation package critical aging services providers. Mark-ups began on September 10 and are expected to conclude by September 15, when they will be sent to the House Budget Committee to compile into one proposal. This [article](#) offers highlights of the provisions included in the reconciliation packages considered by the House Ways and Means Committee, the Education and Labor Committee and the Energy and Commerce Committee. The proposals provide historic opportunities to support workers in long-term care settings, and address health care professionals’ recruitment and retention. Funding also includes measures that provide increased support to address Medicare coverage and critical resources needed to enhance Medicaid home and community-based services (HCBS).