

**Highlights for LPCs:**

**LPC Annual Meeting Session Guide.** Of the abundant educational sessions offered this year at Annual Meeting, we've carefully curated this [Guide](#) of sessions that may be of especial interest to LPC members. Selected to represent the broad array of interests concerning LPCs, these sessions include topics ranging from data analytics, to DEI, federal policy updates, operational strategy and designing the LPC of the future. All are welcome, and we look forward to seeing you in Denver!

**CARF 2022 Financial Trends and Ratios for CCRCs Released.** Ziegler and Baker Tilly offered an informative [webinar](#) on the results of the just-released, 30<sup>th</sup> anniversary edition of CARF's annual Financial Trends [report](#). Of all the unique attributes of organizations that make benchmarking challenging, contract type variety was identified as the biggest driver of differences. Key trends from the report included profitability, liquidity, and capital structure ratios. Generally speaking, profitability ratios continued to show a 'slight weakening in core operations,' while liquidity measures improved for both single- and multi-site organizations. Capital structure ratios showed strong improvement in key areas, including debit service coverage ratios and capital expenditure to depreciation ratios. There was an overall decline in net operating margins across organization types, which is a reflection of declining profitability; challenges with occupancy, specifically in AL and SNF, were identified as the driver of that NOM trend. The report also addresses rising construction and renovation costs; and financial measures such as days cash on hand, unrestricted cash & investments, debt service coverage, and capital expenditures to depreciation ratios. The volume of refinancing activity this year was also down significantly compared to last year. Shortly before the webinar, Ziegler also released this [summary report](#) on the CARF publication, which describes the key ratio measures by organization type and juxtaposes these with their own recently-released ratios [report](#).

**LPC October Member Network Meeting.** Join us on Thursday, October 27 at 2:00 PM ET for an enlightening conversation on an important but rarely discussed topic: preparing for the solo ager. Our panel of experts includes Dr. Sara Geber, Ph.D., who has written a [book](#) on the topic; Andrew Miller of Iona Senior Services, who oversees Iona's [Aging Solo](#) program; Gretchen Van Ness of [LGBTQ Senior Housing](#); and Shawn Mooney, Executive Director of [Fountain Grove Lodge](#), a purpose-built LGBTQ+ LPC. All are welcome; if you haven't already received the invitation, please register [here](#) or email [Dee](#).

**Breakdown of Expanded Primarily Health-Related Benefits in Medicare Advantage.** A new [chartbook](#) from ATI looks at trends in non-medical benefits provided by Medicare Advantage (MA) plans. Of note, the number of plans offering "Expansion of Definition of Primarily Health-Related" for Supplemental Benefits or EPHRB, has grown over the last three years from 499 plans offering some type of benefit to 1,438 plans offering benefits. The benefits reviewed include in-home support services, adult day health services, home-based palliative care, support for caregivers of enrollees, and therapeutic massage. Geography still prevents access to these new benefits with four states (Alaska, Montana, South Dakota, and Wyoming) notably lacking any plans with additional benefits.

- **Adult Day Health Services:** 5 states have plans offering Adult Day Health Services in at least one county. The number of plans offering Adult Day Health Services decreased from 50 in Plan Year 2022 to 41 in Plan Year 2023.
- **Home-Based Palliative Care:** 17 states have plans offering Home-Based Palliative care in at least one county. The number of plans offering Home-Based Palliative Care increased from 147 in Plan Year 2022 to 157 in Plan Year 2023.

### ***Medical / COVID-19 Related Updates:***

**The Long Shadow of COVID and Older People.** Kaiser Health News released a [recording](#) of an event they hosted, the “Long Shadow of COVID: Older People and the Ongoing Pandemic.” The panel presentation covered the differential impact of COVID on older people, particularly those over age 85 and older people of color; vaccinations, boosters, and extra boosters; the confusion around “so many different messages” and questions about whether the pandemic is over; the impact of social isolation during the pandemic and even still; the impact of COVID on efforts to improve quality of life for people with dementia; and many other issues.

### ***Advocacy Updates and Hill News:***

#### **Department of Labor Announces Proposed Rule on Classifying Employees, Independent Contractors.**

The United States Department of Labor has [announced](#) it will publish a proposed rule on Oct. 13 that provides an analytical framework for determining whether a worker is an employee or an independent contractor under the Fair Labor Standards Act (FLSA). This distinction is important because FLSA’s minimum wage and overtime pay protections do not apply to independent contractors. An advance, unpublished copy of the proposal is available [here](#), which shows the Department intends to rescind a previously-issued 2021 Independent Contractor Status rule and, among other changes, restore a “totality-of-the-circumstances” analysis to determining whether a worker is economically dependent upon an employer for work versus being in business for themselves. LeadingAge will analyze the proposed rule and its impact for aging services providers and share additional information in the weeks ahead.

**States Legislatures Taking Steps to Address Direct Care Wages.** LeadingAge has compiled information on State legislatures addressing wages for the direct care workforce. We examined the different approaches state legislatures have used in recent years to increase wages. We also included state examples to illustrate the approaches. [Here's](#) the link to our findings. Please email Eram ([eabbasi@leadingage.org](mailto:eabbasi@leadingage.org)) if you have any questions.

**Average Income Test Final Rule Expected Soon.** In a [progress report](#) to the its March Housing Supply Action Plan, the White House says Treasury and the IRS will publish its final Average Income Test rule very soon. This rule will implement Congress’s 2018 change to allow the incomes of low income housing tax credit households to be up to 80% of area median income if, overall, incomes average no more than 60% AMI in a given project. The goal here is to allow LIHTC properties to do a better job of serving lower income households while also reaching higher income households. According to the White House, the change will “make it easier to build mixed-income housing, housing that includes very low income tenants, and housing in sparsely populated rural areas by reforming the income guidelines for the main source of financing for affordable housing.” Hopefully, the change will also facilitate the production of additional affordable and available units for extremely low-income tenants by allowing for cross-

subsidization within a project. LeadingAge looks forward to the final rule and the opportunities it will provide for more affordable senior housing.

**Supportive State Regulations Help Assisted Living Residents Die in Place.** Researchers from Brown University School of Public Health [found](#) a positive correlation between states with supportive third-party service regulations and the likelihood of assisted living residents dying in place. The cohort study looked at more than 168,000 decedents in 8,315 large (25 beds or more) assisted living residences in the US. This study reviewed third party services for hospice, home health and private care aides in state regulations for assisted living providers. Only 13 states supported all third-party services, and 6 states remain silent on third-party regulations. Researchers note additional research is needed to identify the determinates of place of death and quality of end-of-life care for assisted living residents but supportive regulations for services are critical to meeting care needs.

**EWA Webinar: Key Member Reports on Workforce and Caregiving.** On October 11, 2022, at 3:00 PM ET, LeadingAge will participate in an Eldercare Workforce Alliance (EWA) webinar titled, “Key Member Reports on Workforce and Caregiving.” The panelists at the session will highlight important reports on workforce data, shortages, career ladders, job quality and family caregiving. Panelists include: Amy York, Executive Director, EWA; Jenna Kellerman, Director of Workforce Strategy and Development, LeadingAge; Sam Brooks, Director of Public Policy, Consumer Voice; Amy Robins, Director of Advocacy, PHI; Traci Wilson, Director, Research, USAging; and Mike Wittke, Vice President, Policy & Advocacy, National Alliance for Caregiving. EWA is an alliance committed to addressing our nation’s eldercare workforce crisis by building a caring and competent workforce. LeadingAge is an EWA member. You can Register [here](#) for the webinar.

**HRSA Geriatric Academic Career Awards (GACA) Webinars.** Last month, the U.S. Health Resources and Services Administration (HRSA), released its funding [announcement](#) for the Geriatric Academic Career Awards (GACA) Program. The GACA program supports the career development of junior faculty as academic geriatricians or academic geriatrics specialists and is open to accredited health professions schools or graduate programs, health administration and behavioral health programs, and Tribes and tribal organizations are also eligible. Applications are open until November 3, 2022. Interested applicants can view HRSA’s recent webinars on tips for applying for the GACA program, which are available, [here](#).

#### **News from LeadingAge:**

**Interns Explore Aging Services in Summer Program.** The [Summer Enrichment Program](#) promotes diversity, equity, and inclusion in a 10-week immersive internship. Undergraduate and graduate students across the country have the opportunity to gain real-world experience in aging services. [Interested in hosting an intern?](#)

**Call for 2023 Annual Meeting Sessions is Open.** Save the date! Proposals for the [2023 LeadingAge Call for Sessions](#) must be submitted by December 5. If you want to present on stage to hundreds of aging services experts and providers, submit your original session idea for the opportunity to present at the 2023 LeadingAge Annual Meeting + EXPO in Chicago, IL from November 5-8, 2023. [Learn more and submit your proposal.](#)

**Benchmarking for LGBTQ+ Inclusion.** Long-term care and senior housing communities are invited to participate in the [Long-Term Care Equality Index](#) (LEI), a national benchmarking tool for providers to assess, grow, and show their LGBTQ+ inclusion efforts. Communities that complete the survey will appear in the national LEI 2023 Report and in an online searchable database. [Learn more.](#)

**Career Ladders and Lattices: Grow the Aging Services Workforce.** Last week, aging services thought leaders from LeadingAge and partners discussed the importance of aging services providers to develop career ladders and lattices for their workforce. [Watch the event recording](#) as the panel discusses practical ways to build formal advancement opportunities and support the personal and professional goals of your individual staff members.

