



Nursing Home Weekly: Recap of LeadingAge Updates

February 24, 2023

Upcoming LeadingAge Policy Update Call. On Monday, February 27 at 3:00 PM ET, Andrew Banoff, President and CEO of Jewish Senior Services (JSS) will join us to talk about his book "5200 Sundays", a reflection of his 20 years of serving, learning from, and making relationships with centenarians and other elders at JSS. Life, death, kosher food, art, and so much more – he covers all the memories. 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.

New Workforce Snap Poll. To better understand the workforce challenges in provider member organizations across the continuum, LeadingAge has released a new Snap Poll. The survey will be useful in our advocacy with members of Congress and the Administration, specifically helping to illustrate what the workforce crisis looks like on the ground for LeadingAge members on a variety of issues. Please take a few minutes to share the **LeadingAge Workforce Snap Poll**, which can be accessed [here](#), or <https://www.surveymonkey.com/r/LJHPNBH>

ACTION ALERT: Tell Congress to "Get Real on Ratios" in Nursing Homes. CMS is poised to issue a rule imposing a federal minimum staffing mandate on nursing homes. On February 1, LeadingAge sent a [letter to Congressional leaders](#) requesting that they take legislative action to prevent the implementation of a staffing mandate without first addressing longstanding workforce and reimbursement challenges. We now need your help amplifying this message! Please use LeadingAge's Action Alert template to request that your member of Congress supports this legislative proposal. [Click here to take action now!](#)

CMS Offers More Details on the End of the PHE. On February 23, CMS released [updates](#) to continue to help all health care providers prepare for the end of the Public Health Emergency (PHE). Within the updates, the "[long term care facilities \(skilled nursing facilities and/or nursing facilities\)](#)" link appears to include one change from earlier versions of the update. The new information offers additional details about payment and billing for vaccines after the end of the PHE. Immunizers will no longer be able to bill Medicare directly for vaccines to individuals in a Part A stay after June 30, 2023. Beginning July 1, typical SNF consolidated billing regulations will be in place. The document reiterates what LeadingAge reported in this article, in part based on information shared at the February 22 nursing home stakeholder call. It includes the fact that the 3 day stay waiver will end at the end of the PHE.

CMS Analysis Shows Shorter SNF Lengths of Stay for Certain ACOs with Waiver of 3 Day Stay. On February 17, CMS published a new [analysis](#) of certain Accountable Care Organizations' (ACOs) use of a waiver of the 3 day hospital stay prior to SNF coverage. The analysis found shorter SNF lengths of stay and higher rates of discharge to home for waiver stays, as well as lower or similar rates of adverse outcomes compared to non-waiver stays.

[Celebrate! Your Career in Aging – New Resource from LeadingAge](#). In this 7-minute QuickCast, Jenna Kellerman shares several social media resources and activity ideas that LeadingAge members can use during March 26 - April 1 to celebrate Careers in Aging Week.

PHE Will End Waivers But Not Rules. We are continuing to learn how the May 11 termination of the PHE will impact our various provider settings. On a national nursing homes stakeholder call on February 22, CMS provided clarification on how the end of the PHE impacts the regulatory waivers and interim final rules implemented during the COVID PHE. Any waivers still in effect will terminate on May 11. Because the PHE is ending, HHS will not have the authority to extend waivers or approve new waivers, even on an individual basis, related to COVID-19. Interim final rules are effective for 3 years from the date of publication unless otherwise noted. While the COVID-19 testing rule will end with the PHE, CMS cautions providers that they will be required under infection prevention and control requirements to follow CDC's nationally accepted standards, which currently include testing and other mitigation strategies related to COVID-19. Read more details in [this LeadingAge article](#)

Staffing Study Complete, CMS Still Reviewing. On the national nursing home stakeholder call on February 22 CMS once again confirmed that the staffing study is complete. The study included literature reviews, site visits, quantitative and qualitative data analysis, and cost analysis. CMS is currently reviewing the report including data on time requirements and barriers/unintended consequences. Proposed staffing standards are expected in spring 2023.

Nursing Home Transparency Proposed Rule. CMS published a proposed rule related to nursing home ownership transparency on February 15. Read a summary of this rule [here](#). On the February 22 national nursing homes stakeholder call, CMS clarified that Skilled Nursing Facilities will submit information through the 855A form or PECOS upon enrollment and revalidation, while Medicaid-only nursing homes will submitted information through a process outlined by the state. CMS intends to release an updated 855A form for these purposes in summer 2023. Data will be made publicly available on the CMS data site within one year of publishing the final rule.

Apply Soon for LeadingAge Grant Funds for Vaccine Clinics. LeadingAge's partnership with the Department of Health and Human Services (HHS) and the [We Can Do This](#) campaign will provide more than \$250,000 in grant funding to LeadingAge members for vaccine clinics in an effort to boost vaccine and booster uptake for staff, residents, family members, and others in the community. Funds are available for members across the continuum of LA service providers and HHS is anxious to see vaccine clinics start immediately. [Learn more and apply by February 24](#)

New Analysis: MA Enrollment Growth Slows in 2023. Chartis Group recently reviewed 2023 Medicare Advantage enrollment data and found MA enrollment only grew by 1.5 million lives in 2023 (5.5%), down from the 9% growth of the prior year. The past three years have seen an average of 2 million new enrollees into MA plans. In 2023, MA enrollment declined for the first time in 3 states – CA, CT, IL -- and DC while Medicare FFS enrollment grew in these states. Included in its [report](#), Chartis updated its map showing 2023 MA penetration and growth rates by state. New this year, it has created what it calls a "Medicare Advantage Competitive Enrollment Dashboard," which shows what is happening in each state. Specifically, it provides county-level view for each state showing MA penetration and state-level MA enrollment trend information, Special Needs Plan growth, the breakdown of for-profit vs. nonprofit

plans by market share and lists the top plans (based on market share) in the state. It can be accessed [here](#). Once on the page, select your state from the drop down to receive information for your state.