

IN THE NEWS

**News for LTC Professionals
in 100 Words-or-Less**

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They said it

"They [residents] do not deserve to get the treatment that we're currently giving them" Arizona state Rep. Cesar Chavez at a hearing to determine why serious nursing home complaints are now being investigated by the dept. of Health

"The reality is, when LTC providers admit managed care beneficiaries, they run the risk of not receiving reimbursemen" Maureen McCarthy, of Celtic Consulting

"They're by far the smallest jumps we've seen" AARP's Ari Houser coauthor of AARP's monthly analyses commenting on the small increases in the numbers of residents and staff receiving COVID booster shots

"Emergencies don't occur on Tuesday at 2 p.m. They'll occur on Saturday night at 10" Michael Wassermen, MD advocating integration of nursing homes into community disaster response plans

"What Care Costs" is a Lot And It's Going to be More

Alaska (\$531 private, \$452 semi), Connecticut (\$481 & \$453) and New Jersey (\$479 & \$426) are currently the most expensive states regarding daily costs in SNFs for private and semi-private rooms.

Lincoln Financial Group's "What Care Costs" website also projects private and semi-private rooms in Alaska at \$713 and \$608 by 2031 and by 2044 a private room is projected to cost \$1000 a day.

Location. Location. Location. Even today certain metropolitan area are pretty pricey. Around New York City (NJ, Conn. and Manhattan) a private room will set you back about \$523 per day.

Lincoln Financial Group, 06/23/22

Louisiana Owner Indicted in Hurricane Shelter Deaths

The owner of seven Louisiana SNFs that evacuated over 800 residents to a warehouse as Hurricane Ida approached last year has been indicted on 15 felony charges after seven residents died at the temporary shelter.

Bob Dean was charged with 15 felony counts involving cruelty to persons with infirmities, Medicaid fraud and obstruction of justice.

An Attorney General news release revealed, "Dean refused to move his residents out of the warehouse following Hurricane Ida, billed Medicaid for dates his residents were not receiving proper care and engaged in conduct intended to intimidate or obstruct public health officials and law enforcement."

CNN, 06/23/22

Louisiana Governor Signs Emergency Prep Law

Louisiana nursing homes' emergency preparedness plans must now be approved by the state's Department of Health each year.

Providers must review and update its emergency preparedness plan and submit the full plan to the Louisiana Department of Health by no later than March 1 of each year.

Gov. John Bel Edwards signed the bill a couple days before SNF owner Bob Dean was charged in connection with the deaths of 7 nursing home residents among 800 kept in an insufficient warehouse during Hurricane Ida last summer.

The residents were all from facilities owned by Dean, who also owned the warehouse.

McKnight's, 06/24/22

Staffing – Sobering, but Not Really Surprising

AHCA has released the results of a survey it conducted among 759 nursing home providers across the U.S.

Only 2% confirmed that they were fully staffed, while 87% of the participants said

they are facing moderate or high staffing shortages.

The survey revealed that 98% of providers are having difficulty hiring staff; 40% say it's "somewhat difficult" to recruit workers, 58% say it's "very difficult."

Nearly all (99%) of providers said their staffs have worked overtime and 71% have used agency staff.

Further, 61% have had to limit new admissions.

Market Realist, 06/22/22

Residents Bailing Out of Troubled New Jersey SNF

Three weeks after its license was revoked, and with the clock ticking down on the termination of its federal funding, Woodland Behavioral and Nursing Center in Andover appears headed toward a permanent shutdown.

Woodland first came into the national spotlight after police discovered 17 bodies stored in a temporary morgue on Easter weekend in 2020 at the beginning of the pandemic.

CMS ultimately fined Woodland \$220,235 for violations related to the Easter incident.

As of last week, the census was 228 – down from 450 in February. Woodland is licensed for 543 beds.

nj.com, 06/22/22

Booster Shots Down Nursing Home COVID Up

COVID-19 infections in U.S. nursing homes quadrupled between mid-April and mid-May, and the death rate in the facilities is rising once again.

At the same time, uptake of COVID-19 booster shots has slowed, leaving some 330,000 residents and more than a million workers without an extra shot.

An AARP analysis found that the rates of SNF residents and workers testing positive during the period are comparable to those recorded during COVID-19's first summer in 2020, when vaccines weren't available, and during the peak of the Delta wave, in the summer and fall of 2021.

AARP, June 16, 2022

IN THE TRENCHES – COVID-19 in the States, the SNFs, the World

AMERICA: The NHSN now considers individuals up to date with their COVID-19 vaccines, during the October 2021 – June 2022 surveillance period, if they've received all recommended doses in their primary vaccine series and received at least one booster dose. The move mirrors a similar change earlier by CMS (*McKnight's*).

TAMPA: Even though the CDC has approved the Pfizer-BioNTech and Moderna vaccines for children ages 6 months to 5 years old, the Publix grocery store chain will not offer vaccinations for the nation's youngest kids. A Publix spokesperson it would not offer the shots "at this time" but did not explain the decision (*Tampa Bay Times*).

AMERICA: Florida, the state with the fourth highest population of nursing home residents, reported that just 57% of residents have received booster shots – lowest rate in the country. Mississippi and Missouri reported that only 27% of workers had been boosted. The highest numbers are in Massachusetts, South Dakota and Vermont where 88% of residents have been boosted. Massachusetts, which is requiring nursing home workers to be boosted, reported that 96% had received an extra shot (*AARP*).

IDAHO: The opening weekend of the Idaho Shakespeare Festival production of "Ain't Misbehavin'" was postponed because of breakthrough COVID-19 cases within the company. The company cancelled the entire 2020 season and today works in a "bubble" with an entire company of vaccinated and boosted actors, stage and house crew, and artistic staff. No visitors are allowed during rehearsals, and masks are worn consistently (*The Idaho Statesman*).

THE WORLD: A National Institutes of Health-sponsored clinical trial has found no benefit from the anti-parasite drug *ivermectin* in lowering the risk of emergency room visits, hospitalization or death from covid-19, my colleague Joel Achenbach reported. The study found no significant difference in the time to full recovery among people who took the drug compared with the control group. The

ivermectin patients reached full recovery in about 11 days compared to 11.5 among those taking a placebo (*The Washington Post*).

AMERICA: Federal data shows recent breakthrough COVID infections have been more likely to occur in those who've received a booster shot. Though deaths and hospitalizations are less likely to occur in boosted Americans, experts believe the vaccinated population of the United States may have increased their risk factors after receiving a booster shot. Apparently, one of the dynamics here is that people feel, after vaccination and boosting that they're more protected than they actually are (*CBS News*).

NORTH KOREA: A month since acknowledging a COVID-19 outbreak and after denying any cases for more than two years North Korea may be preparing to declare victory. According to the official tally, cases are plummeting, and while 18% of the nation's 26 million people reportedly have had symptoms that outsiders suspect were from COVID-19, fewer than 100 have died. North Korea's official virus numbers, experts believe, have more to do with propaganda to boost leader Kim Jong Un than with a true picture of what's happening in the country. (*The Los Angeles Times*).

PENNSYLVANIA: The Senate approved a resolution that would initiate a study on staffing trends at long-term care facilities during the COVID-19 pandemic. The resolution directs the Joint State Government Commission to analyze wage rates for staff and contract nurses, as well as the rates staffing agencies charged to provide workers to facilities. The commission will also consider wage increases, nurse ratios and the increased need for specialized staff between 2018 and present day (*PA Senate news release*).

MINNESOTA: Two more community test-to-treat sites where Minnesotans can get tested for COVID-19 and, if positive and determined to be high-risk, receive a prescription for medication at the same time will open before the end of the month. The new community test-to-treat locations will join the existing 61 test-to-treat sites

that are already operating statewide (*Minn. Dept. of Health news release*).

EUROPEAN UNION: The European Medicines Agency said is recommending the authorization of the coronavirus vaccine made by French pharmaceutical Valneva, making it the sixth shot given the green light in Europe. The EU drug regulator said it had cleared Valneva's two-dose vaccine for people aged 18 to 50. Scientists compared it to the AstraZeneca COVID-19 vaccine (*clickondetroit.com*).

MICHIGAN: The state added 10,681 cases and 69 deaths from COVID-19 June 21, including totals from the previous five days. Michigan reported an average of about 1,780 cases per day over the previous seven days, a decrease from 2,225 cases per day a week prior. The state reported that 681 adults and 18 pediatric patients were hospitalized with confirmed infections, a slight decline from 800 adults and 27 children the previous week (*The Detroit News*).

DENMARK: With infections rising, Prime Minister Mette Frederiksen said a fourth COVID-19 vaccine dose will be offered to nursing home residents and people age 50 and over in Denmark later this year. She said the action was aimed at taking care of older people and the vulnerable and to avoid the congestion of hospitals, shutdowns and restrictions and to keep the economy going (*ABC News*).

TEXAS: In Corpus Christi to relieve a severe backlog of cases, Nueces County judges removed COVID-19 restrictions that have been in place since 2020. The board kept an order that allows judges to hold hearings over Zoom. Nueces County Jail currently is 100% full and 281 inmates have been held for more than 100 days, awaiting trial – 88 of them are charged with murder (*KRIS-TV*).

COVID-19, 06/24/2022

Global Cases – Deaths
542,965,958 – 6,328,078

U.S. Cases – Deaths
86,909,716 – 1,015,789

221.9M – 67% of the country's population is fully vaccinated

Johns Hopkins University

20 Million People Survive Because the Vaccines Work

Covid-19 vaccines cut the potential global death toll by more than half in the first year they were available.

The study modeled the spread of the disease in 185 territories and countries and found although there were more than 3.5 million deaths since the first vaccine was administered in December 2020, the vaccinations also prevented 19.8 million deaths.

However, millions more deaths could have been prevented. The team found that one in five of the deaths that occurred due to Covid-19 in low-income countries could have been prevented if the World Health Organization's global vaccine targets were met.

STAT, The Lancet Infectious Diseases, 06/23/22

SFF in North Carolina Shutting Down for Good

The Citadel Salisbury recently lost its Medicare funding and has now closed its doors permanently.

Since August 24, 2020, The Citadel Salisbury has been enrolled in CMS' Special Focus Facility (SFF) after multiple deficiencies involving substandard care and actual harm to residents.

Those deficiencies were not corrected in three subsequent SFF surveys – February and September 2021 and March 2022.

The Citadel Salisbury was previously enrolled in the SFF program from June 18, 2014, to February 4, 2015.

The facility was the site of the state's worst outbreak of COVID-19 - 168 cases and 21 deaths.

WBTW-TV, 06/23/22

Mass. Sues SNF Over COVID-19 Infection Control

The Massachusetts Attorney General has sued Sea View Retreat in Rowley and its owner Stephen Comley II, alleging they failed to comply with state and federal laws, rules, and regulations that required facilities to implement procedures to protect residents of long-term care facilities from COVID-19.

These included failures to cohort or isolate multiple residents who were suspected, symptomatic, or known to have tested positive for COVID-19 and failures to promptly test at least one symptomatic resident for COVID-19 and implement facility-wide infection control and prevention procedures.

The suit stems from complaints against the facility at the beginning of the pandemic.

Mass. AG news release, 06/16/22

\$25/hr for Private Hospital Workers in LA

The Los Angeles City Council during the week voted to increase the minimum wage for workers at private hospitals to \$25 an hour rather than sending the question to the November ballot for voters to decide.

The wage requirement will cover several kinds of workers, including nurses, aides, housekeepers, guards, janitors and other employees who are not supervisors or managers.

The measure will pertain to privately owned health facilities in the city, including acute-care hospitals, psychiatric hospitals, and clinics or skilled nursing facilities that are part of such hospitals.

Staffing Industry Analysts, 06/22/22

Report Proposes a National Public Health System

A commission sponsored by the Commonwealth Fund recently released a report – "*Meeting America's Public Health Challenge*," in which it calls on Congress to "provide an adequate and reliable source of federal public health funding to states, localities, tribes, and territories to support a modern public health infrastructure."

The report recommends revised accreditation standards for states, and that "the president should reconvene the National Prevention and Public Health Council" to coordinate efforts across governments and between agencies within governments to advance health.

The commission proposed that "at least \$8 billion be dedicated annually to improving IT and public health infrastructure.

MedPage Today, 06/21/22

ONE COLUMN: Experts: 'Systemic Failure' In Emergency Planning Cripples Even Compliant SNFs

Despite the fact that most nursing homes in the U.S. are in compliance with required emergency planning elements, residents often suffer harm in natural or other disasters, including disease outbreaks. The OIG had the concern even before COVID.

But Michael Wasserman, M.D., past president of the California Association of Long-Term Care Medicine, and R. Tamara Konetzka, Ph.D, of the University of Chicago, wrote the lack of response by federal and state agencies to nursing homes hit by the coronavirus early in 2020 underscored the need for a new approach.

In the face of "systemic failure," they are calling on policymakers to prioritize development of more robust nursing home leadership and adaptable planning that integrates nursing homes into wider community response efforts.

Wasserman said leaving nursing homes out of larger response plans makes them more vulnerable to situational dangers, such as lack of hospital beds, blocked evacuation routes or extended power outages. The response to those kinds of challenges cannot be handled at the building level alone, and it requires both strong facility leadership and infrastructure that brings those affected facilities into a network of communication and supplies.

One key recommendation is ensuring that more than just one nursing home employee is empowered to work on emergency response, and that their ability to be flexible and find resources and communicate with public health officials is bolstered by additional training. The administrator or the DON may not always be on hand when disaster strikes.

Wasserman and Konetzka advocate the government committing additional resources to leadership training and standardizing who is in charge of emergency preparedness and response.

Health Affairs, 06/06/22

Was Failure to Investigate Arizona Complaints Criminal?

Arizona lawmakers lashed out at the director of the Department of Health Services after a report indicated that none of the recommendations made by the state Auditor General Lindsey Perry 30 months ago to fix SNF problems have been implemented.

Perry said the question of whether it was done intentionally "would be up to a jury."

A House committee has consulted with the state AG to determine whether failure to comply with the timelines to investigate high-priority complaints – such as abuse and neglect or pressure sores – rose to the level of criminal neglect.

KAWC, Public Radio, 06/16/22

Nursing Home Bill Weakened Sponsors Pull Their Support

A group of advocates that has long fought to reform the state's troubled nursing home licensing system is now attempting to kill legislation it sponsored.

Patricia McGinnis, executive director of the California Advocates for Nursing Home Reform wrote in a letter the chair of the California Senate Health Committee the original bill has been so amended that it now "codifies and endorses the current system, a system that has nourished the worst operators in the state."

But the bill's authors say as amended it still represents important progress in the state's efforts to better regulate nursing home owners and operators.

CalMatters, 06/22/22

LGBTQI+ Order is a Chance To Address the Issue in LTC

President Biden has issued an executive order that directs HHS to publish a "Bill of Rights for LGBTQI+ Older Adults" that would help residents and providers better understand their rights in LTC settings.

It also calls on HHS to develop new guidance on non-discrimination protections "on the basis of sex, including sexual orientation, gender identity, and sex characteristics in LTC.

"The topic of sexuality in nursing homes is complex," said Howard B. Degenholtz, professor of health policy at the University of Pittsburgh. "Caregivers are often unsure whether and how to support older adults' desire to have sexual relationships."

McKnight's, 06/22/22

N.H. County Homes to Split \$50M for Infrastructure

New Hampshire has approved \$50 million in federal American Rescue Plan Act State Fiscal Recovery Funds for a County Nursing Home Infrastructure Program.

This program will help prevent the spread of future COVID-19 outbreaks in county nursing facilities, ensure facilities are safe for residents and their families and help fund facility improvements.

Awards will be issued to fund capital improvements, building expansion, HVAC improvements, and renovations to help update and modernize outdated capital equipment, facilities, and buildings.

The first pass is for immediate and ready-to-go requests and the second tranch of funds for more long-term needs.

In depth NH.org, 06/15/22

Employer Prayers Leads to Religious Discrimination Suit

Century Park Associates, operator of Garden Plaza at Lawrenceville, Lawrenceville, GA, is being sued by a former employee who says he was fired for speaking out against Christian meeting prayers and asking for accommodation for his Jewish faith.

Sales and marketing director Jack Linder's lawsuit alleges religious discrimination, failure and refusal to accommodate sincerely held religious beliefs, and retaliation.

Linder said that the company did not provide adequate accommodations for his faith and retaliated against him by slowly stripping away his authority and job duties.

The employment of Linder's supervisor who had shared his concerns with the corporate office, and who also is Jewish – was also terminated.

Senior Living, 06/06/22

Briefly in the News

The LTC industry's staffing issues are getting some attention in Congress. In a letter to the chairs of several house committees Rep. Jam Schakowsky (D-IL) asked for increased funding for programs designed to increase the number of health care professional prepared to care for America's growing population of older adults and to support family caregivers (**LeadingAge**).

In a study of electronic health records from Kaiser Permanente Southern California over the period from December 2021 to May 2022, fewer than 1% of patients aged 12 and older who received *Paxlovid* to treat mild-to-moderate COVID-19 had a COVID-19-related hospitalization or emergency department visit in the next five to 15 days (**American Hospital Association**).

A Harvard Medical School study of 9600 long-term nursing home residents who had suprapubic tube placement (SPT) indicates the catheters do not improve outcomes that are important for older adults' well-being. By one year after the procedure, about 38% of study participants with SPT had died. Among the survivors, 34% had worsened functional status and 36% had worsened mental status (**Journal of the American Geriatric Society**).

Paul Peaper will become president of the Indiana Health Care Association/Indiana Center for Assisted Living effective July 1. Peaper will succeed Zach Cattell, who has been serving as interim president of IHCA/INCAL since spring, when he resigned the permanent position. Peaper most recently served as the executive director of strategic affairs and corporate partnerships at Indiana University Health (**McKnight's**).

A new one-year contract calls for 58,000 home care personal care attendants (PCA) across Massachusetts to receive \$18 per hour. United Healthcare Workers East says the state has seen a shortage of PCAs and there is an intention to focus on recruitment to attract more than one million workers into a PCA role by 2026 (**WWLP-TV**).