

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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They said it

"That flashes out to me with blinking red lights" Jodi Eyigor, director of nursing home quality and policy for LeadingAge reflecting on a CMS announcement that it would be using provider comments to consider regulation changes in emergency preparedness

"If you look at the national statistics, we're averaging around 400 deaths per day. We can pretend it's not happening, but the wastewater and the deaths are telling us a different story" David Freedman, of Clemson University's Department of Environmental Engineering and Earth Sciences who advocates for wastewater COVID testing

"While we have made tremendous progress in our ability to protect against and treat COVID-19, we must stay on our front foot" OMB Director Shalanda Young after the Biden administration asked Congress for \$22.4 to continue fighting COVID

Pooper-Scooper? Here's the Scoop on COVID Poop

With the proliferation of at-home covid tests, only a small fraction of positive results are reported to public agencies. Dashboards, which rely on positive covid tests reported by local laboratories and medical offices have a significant lag-time.

Wastewater gives a more accurate and timelier picture of the disease. It involves collecting a sample, often at a treatment plant, and processing it so scientists can run an analysis — similar to a PCR nasal swab — able to detect genetic evidence of the covid virus, other infectious diseases.

Wastewater research isn't new. The method was used in the 1940s to track polio outbreaks.

South Carolina Public Radio, 08/25/22

CMS Drops 'enormous' MDS Changes In Surprise Move

CMS surprised operators by quietly posting a draft of updated MDS specifications. The agency had said earlier this year it would not be releasing a new version until early next year.

The release is consistent with what has been in the works for at least a couple of years but was withdrawn amid provider outcry during the early days of the pandemic.

Joel VanEaton of Broad River Rehab predicted this "was just the beginning" since it will create "massive residual effects" on other areas affected by the MDS, such as Care Area Assessments, quality measures and Five-Star ratings.

McKnight's, 09/07/22

Is Emergency Preparedness Next on the CMS Hit List?

CMS's announcement that it will be using input from providers at an upcoming emergency preparedness listening session to consider regulation changes is considered a warning by some.

The agency said in July, following the publication of a highly critical OIG report, that it would likely roll suggestions into new regulations. the watchdog's

That report found problems with life safety and emergency preparedness, including concerns about emergency plans, supplies, training and facilities' ability to meet life safety requirements at 150 of 154 nursing homes audited

The timeline is vague, but safety experts said nursing homes should start preparing now.

McKnight's, 08/02/22

KY Nurse Pleads Not Guilty in Death of Patient

A nurse accused of killing an elderly patient at Baptist Health Lexington (Ky.) by intentional "medical maltreatment" has pleaded not guilty.

Eyvette Hunter, RN, was indicted in the death of James Morris, 97, on Aug. 23, and her nursing license was suspended.

Ms. Hunter was fired by Baptist Health Lexington on April 30 but continued to work as a travel nurse at UK HealthCare hospital until her Aug. 23 arrest. The hospital immediately released her from her duties after learning of the suspension and indictment.

Prosecutors filed a motion requesting a court order to search Ms. Hunter's cell phone.

Becker's Hospital Review, 09/03/22

Closed SNF Asks Surrounding Communities to Put Up Cash

Island Nursing Home, a shuttered facility on Maine's Deer Isle's, previously announced plans to sell its skilled care beds and seek other uses for the facility.

INH board member Skip Greenlaw has now suggested to reopen the facility suggested that Deer Isle, Stonington and towns on the Blue Hill Peninsula give the nursing home a combined \$700,000 — the estimated sale price for the SNF's beds.

But some residents and board members worry that even with financial support, the home, which closed due to a lack of staff, could end up right back in its current predicament in the near future.

Bangor Daily News, 08/31/22

LPN Found Not Guilty Of Gait Belt 'Abduction'

LPN Randi Noel McKinley, 33, was acquitted in Marion County Common Pleas Court (Ohio) of all charges related to a 2019 incident at then-Community Care and Rehabilitation, in which she and two other employees were accused of illegally restraining a dementia patient, who died of unrelated causes the next day.

McKinley admitted that she and CNA Jennifer Williams used a gait belt to restrain a resident in a geri-chair to prevent him from falling. She was charged with abduction, tampering with evidence and forgery.

Williams, who took a plea deal and testified against McKinley, was sentenced to 80 days in jail.

Marion Star, 08/30/22

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

AMERICA: Over 1.1 million COVID-19 stimulus checks, totaling over \$1.3 billion, were sent out to incarcerated people across the United States, data from the Internal Revenue Service revealed in a letter sent to Congressman Don Baker (R-NE) The \$1.3 billion figure includes economic impact payments and does not account for recovery rebate credits, another form of COVID-19 relief given during the pandemic. About 163,000 recipients were serving life sentences (*The Washington Examiner*).

UNITED KINGDOM: The U.K. will begin its autumn COVID-19 vaccination campaign in the coming weeks. The Medicines and Healthcare products Regulatory Agency said Saturday that it had approved the Pfizer vaccine for use in people age 12 and older after finding it was both safe and effective. The agency authorized the Moderna vaccine last month (*MarketWatch*).

AMERICA: The U.S. Food and Drug Administration amended the emergency use authorizations (EUAs) of the Moderna COVID-19 Vaccine and the Pfizer-BioNTech COVID-19 Vaccine to authorize bivalent formulations of the vaccines for use as a single booster dose at least two months following primary or booster vaccination (*Medical Laboratory Observer*).

CAPITOL HILL: With a month to go before the end of the government's 2022 fiscal year, the Biden administration is asking Congress for \$22.4 billion would cover "immediate short-term domestic needs." The items include the provision of COVID-19 tests, investments into research and development of next-generation vaccines and therapeutics, global COVID-19 response support (*Fierce Healthcare*).

KENTUCKY: New figures from the CDC, show COVID-19 is still spreading widely in Kentucky. The majority of counties, 70, are still experiencing high COVID-19 community levels. Eight counties are at low levels. The 42 remaining counties fall into the medium zone for community levels of COVID-19 (*Lexington Herald Leader*).

CHICAGO: Furious QAnon sympathizers have been flooding Amita Resurrection Medical Center in Chicago with phone calls and protesting in-person to demand that a QAnon believer being treated there for coronavirus is given the horse-dewormer *ivermectin*. The hospital confirmed that it had received a flood of calls about the patient, but said its doctors aren't using *ivermectin* to treat coronavirus patients (*Chicago Sun-Times*).

AMERICA: A study by the CDC, NIH and CMS split 175,000 Medicaid beneficiaries between those who initiated opioid use disorder (OUD) care before the pandemic and those who received it after the outbreak. The study revealed that Medicaid beneficiaries who received opioid use disorder related telehealth care and corresponding medications for opioid use disorder were less likely to experience an opioid overdose (*JAMA Psychiatry*).

MINNESOTA: A study from the University of Minnesota Medical School indicates metformin, a commonly prescribed diabetes medication could help lower the odds of the most serious outcomes of COVID-19. The study determined the drug can help reduce the likelihood of ER and emergency visits, hospitalizations or death from COVID by more than 40% and if prescribed early, by more than 50% (*KARE-TV*).

AMERICA: Investigators analyzed the cases of more than 700 men who tested positive for COVID -- most before vaccines were available. Men with low testosterone (low-T) who contracted the virus were 2.4 times more likely to require hospitalization than men with normal hormone levels. But men who had been treated successfully for low-T before catching COVID were not more likely to be hospitalized (*JAMA Network Open*).

ARKANSAS: Lawmakers approved \$188.2 million in American Rescue Plan Act funds for the Department of Education after previously voting to rescind hundreds of millions in COVID-19 relief funds from the department. A subcommittee of the Arkansas Legislative Council approved the funds to be distributed in grants to 44 school districts.

There were originally 119 school districts that applied for the money (*The Washington Examiner*).

AMERICA: HHS reported that federal emergency measures invoked during the pandemic helped expand usage of telehealth by 6,176% between 2019 and 2020 in Medicare groups. Medicare beneficiaries seeking digital behavioral healthcare showed a 3,090% increase (*Kaiser Health Network*).

AMERICA: Life expectancy in the U.S. fell again in 2021. In 2019, someone born in the U.S. had a life expectancy of 79 years. In 2020, because of the pandemic, that dropped to 77 years – then to 76.1 years in 2021. It was the first time life expectancy dropped two years in a row in 100 years. Among American Indian and Alaska Native people life expectancy fell by 6.6 years, to 65.2 (*NPR Shots*).

THE WORLD: Worldwide daily step counts, as recorded on a smartphone app, have not returned to pre-pandemic levels. Based on 140 million daily step count measurements from 1.2 million users in more than 200 countries, researchers found that the mean step count in the 90-day period from November 2021 to February 2022, was significantly lower for all continents versus the same 2019 to 2020 pre-pandemic period (*The Lancet Global Health*).

CHINA: National Health Commission on Thursday announced a raft of measures that will be in place until the end of next month to fight a virus that shows little sign of slowing. Authorities told citizens to minimize travel during the mid-Autumn festival next week and National Day holidays in October, ordinarily key periods for domestic tourism (*Bloomberg*).

COVID-19, 09/09/2022

Global Cases – Deaths
608,550,426 – 6,514,297

U.S. Cases – Deaths
95,250,368 – 1,050,323

224.4 - 68% of the country's population is fully vaccinated

Johns Hopkins University

Omicron's Mutations Impaired Vaccines

Almost 40% of people hospitalized in the US with the Covid subvariant that circulated this spring were vaccinated and boosted, highlighting how new strains have mutated to more readily escape the immunity offered by current shots.

CDC scientists found that vaccines and boosters did a better job of keeping people with delta infections out of the hospital, Effectiveness decreased slightly with the BA.1 variant, then changed significantly with BA.2.

The findings from scientists at the CDC underscore the importance of having Covid shots that are better at targeting omicron subvariants.

Bloomberg, 08/25/22

'Court Shopping' OK Again in Pa. SNF Lawsuits

Advocates for LTC providers are criticizing a recent Pennsylvania Supreme Court ruling that frees malpractice suits to be tried in plaintiff-friendly jurisdictions, overturning its own 2003 decision to keep lawsuits within the county of alleged injury.

"Prior to the (2003) ban on venue shopping, healthcare providers in Pennsylvania were fleeing the state because they couldn't afford to operate in such a punitive legal environment with high insurance premiums," Zach Shamberg, CEO of the Pennsylvania Healthcare Association.

Providers have contacted elected leaders to see what can be done to "overturn what would be a disastrous decision by the state supreme court."

McKnight's, 08/30/22

In the Future Veterans Could Be Moved to Assisted Living

Mirroring legislation introduced in the Senate, the Expanding Veterans' Options for Long Term Care Act has been introduced in the U.S. House of Representatives.

the proposed three-year pilot program would expand veterans' access to assisted living at six Veterans Integrated

Services Networks, including at least two program sites in rural areas and two in-state veterans homes.

The legislation was introduced after a VA report found the annual cost to place a veteran in assisted living was \$51,600 compared with \$120,701 for a nursing home placement.

Senior Living, 08/31/22

Short Staff, SNF Closures Slow PA Hospital Discharges

Discharging patients from hospitals has slowed at a time of widespread labor shortages in health care. Not enough staff at nursing homes — where many patients go from the hospital for rehabilitation — is the new bottleneck.

Even ambulance services are having staffing problems, representing more delays in patients getting where they need to be.

Inflationary pressures, sharply higher labor costs and stagnant government reimbursement have stressed Pennsylvania's 700 nursing homes where more than 80,000 seniors live.

The result: 17 skilled nursing facilities have closed in Pennsylvania over the past two years.

Pittsburgh Post-Gazette, 08/29/22

LED Lighting Overhaul Cut SNF Falls Nearly in Half

Harvard University researchers assessed the impact of the solid-state (LED) lighting on visual acuity, alertness and sleep and its potential influence on falls across two pairs of facilities.

Two SNF received a solid-state lighting installation that changed in intensity and spectrum by increasing short-wavelength (blue light) exposure during the day and decreasing it overnight.

Researchers tracked falls using medical records over approximately 24 months. Following the lighting upgrade, falls decreased by 43% at the experimental sites when compared with two control sites, in which standard lighting was maintained.

JAMDA,08/12/22

ONE COLUMN

Staff Shortages More Pronounced in Poorer Areas

Staffing shortages may be ravaging nursing homes around the country, but the losses may be especially harmful in poorer areas, with fewer qualified clinicians leading to a greater likelihood of poor outcomes.

In a massive new study by the NYU Rory Meyers College of Nursing, researchers analyzed quality and payroll-based staffing data for 12,609 U.S. nursing homes; 16% were in severely disadvantaged neighborhoods.

These facilities were more likely to be for-profit, in rural areas, and serve a higher proportion of black residents and Medicaid recipients.

The data indicated that a 100-bed nursing facility in a severely disadvantaged neighborhood averaged five hours and 36 minutes less RN care per day compared to a similar facility in more affluent areas.

The researchers reported facilities in severely deprived neighborhoods had 38% lower for physical and occupational therapy staffing, 30% lower RN staffing, and 5% lower certified nursing aide staffing.

No disparities in licensed practical nurse staffing were observed.

To address significant staffing disparities, study authors recommend "targeted interventions," including workforce recruitment and retention efforts, to improve staffing levels for facilities in lower socio-economic areas.

They also advocate supporting, and not penalizing, nursing homes, possibly by enhancing Medicare and Medicaid reimbursement to these facilities using geographically 'micro-targeted' funding sources, workforce recruitment efforts focused on pay, transportation, and working conditions, and efforts to retain staff such as opportunities for CNAs and LPNs to complete training as RNs.

*The Journal of the American
Geriatrics Society, 0808/22*

New Nurse Concierge Program Adds, Staff Relief

A new clinical concierge program is bringing extra support to skilled nursing and rehab patients and offering some relief for overtaxed frontline staff at a growing number of Mid-Atlantic facilities.

The concierges serve as a dedicated resource for patients and their families, addressing questions about diagnoses, medications, treatments and transitions of care.

Management company Marquis Health Consulting Services has tapped nurses and advanced practice clinicians for a role that is the first of its kind in at least one of the markets where the company operates.

McKnight's, 08/23/22

Florida Woman Gets Time in Uncle Sam's Slammer

Edrica Watson, 40, of Lehigh Acres, pled guilty to making false representations on loan applications to financial institutions under the Payroll Protection Program.

Watson was the owner and purported operator of Unity Home Care Services, but while UHC was formed by Watson in September 2020, it was not an operating business prior to or at the time of her application in April 2021.

As part of her 15-month sentence, the court also ordered a forfeiture of \$392,563, and Watson was ordered to pay \$434,227.50 in restitution to two financial institutions she defrauded

Fort Myers News-Press, 08/18/22

Nurses Treated for OUD Can Work in Indiana

The Justice Department announced today that it has entered into a settlement agreement with the Indiana State Board of Nursing to resolve claims it violated Title II of the Americans with Disabilities Act (ADA).

The settlement agreement ensures that nurses who take medication to treat opioid use disorder (OUD) can remain on their medication when participating in the Indiana State Nursing Assistance Program.

The program assists in rehabilitating and monitoring nurses with substance use disorders and is often required for these nurses to maintain an active license or have one reinstated.

DOJ news release, 09/01/22

Hundreds of SNF Workers Strike in Pennsylvania

About 700 nursing home workers in 14 facilities in Pennsylvania are on strike.

The strike comes months after the state approved \$600 million for caregiving in nursing homes, 70% of which is to be spent on staffing and bedside care.

The workers want better pay, health care benefits, and staffing conditions.

According to an SEIU Healthcare Pennsylvania release from Sept. 2, no additional bargaining dates have been set yet, but "workers are hopeful to get back to the table as soon as possible."

WHTM-TV, 09/06/22

Telehealth Rose During the Pandemic

Researchers at the University of Missouri and Columbia investigated the implementation of telehealth in nursing homes amidst the COVID-19 pandemic.

Overall, the study found that 64% of nursing homes reported higher telehealth use in year two compared to year one, with 32% reporting a decline in telehealth use.

The researchers also said that nursing homes need to eliminate barriers for staff to use telehealth in their patient interactions. These include billing issues, lack of interoperability and inadequate staffing.

The study found none of the nursing homes surveyed reported adding staff to accommodate for the increased use of telehealth.

Journal of the American Geriatrics Society.,
McKnight's, 08/30/22

Briefly in the News

In 2022, more than 28 million people are enrolled in a Medicare Advantage plan, accounting for 48% of the eligible Medicare population, and \$427 billion (55%) of total federal Medicare spending. The average Medicare beneficiary in 2022 has access to 39 Medicare Advantage plans, the largest number of options available in more than a decade (***Kaiser Family Foundation***).

Former Brookdale Senior Living CEO W.E. "Bill" Sheriff passed away recently and is being remembered fondly for the mentorship and other contributions he made to the senior living industry. Sheriff served as CEO of Brookdale from 2006 until his retirement in 2013. During his time at the reins, Brookdale became the country's biggest operator of senior living communities, with 647 communities in 35 states by the time he retired (***Argentum***).

New York has launched a bonus program to build up the state's healthcare workforce. The program includes \$1.3 billion allocated for the payment of recruitment and retention bonuses to certain workers, a key initiative in Governor Kathy Hochul's intention to increase the state's health care workforce by 20% over the next five years. (***Governor's Office news release***)

In an update to their "Forgotten Middle" study from 2019, researchers at the University of Chicago determined that 11.5 million older adults (72%) won't qualify for public assistance and likely will be unable to pay for their long-term care needs on their own. In 2033, the investigators found, those older adults will have less than \$65,000 in income and annuitized assets, the average amount needed to pay for private assisted living and medical care (***Senior Living***).

Over 40% of the US public health workforce plans to leave their jobs within the next 5 years, and 51% said more staff were needed to respond to COVID-19, according to findings from a 2021 survey published today in ***Morbidity and Mortality Weekly Report (CIDRAP, U of Minn)***.