

# **IN THE NEWS**

News for LTC Professionals  
in 100 Words-or-Less

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## **They said it**

*You're not expected to cure someone of substance abuse disorder ... you are expected to keep them safe*" Evan Shulman, CMS director - Division of Nursing Homes

*"If you're over 50, certainly if you're over 65, you've got to go get these vaccines because it actually, literally could save your life"* Dr. Ashish Jha, head of the White House Covid task force

*"I think we are just kind of seeing booster fatigue. There's not as much of an urgency"* Pennsylvania Dr. John Goldman

## **Jim and Lynne Got Married Love Thru "Thick and Thin"**

Jim and Lynne Hawkins married recently at The Orders of St John Care Trust home, Grevill House, in Cheltenham, England in front of friends, relatives and staff.

However, the marriage was not the result of a brief meeting between two people in a nursing home. Mr. Hawkins said no when Lynne proposed to him early on in their relationship – 42 years ago.

But this year he agreed to tie the knot, "I'm ready, and I'm getting on a bit," he said.

Jim is 81. Lynne is 64.  
BBC News, 10/22/22

## **Oh Dear! It was a Deer**

It was a chaotic morning at a suburban nursing home in Westmont, Illinois when a deer jumped through a window.

Police said a large buck entered Westmont Manor Health and Rehab Center, brushed against two people, and knocked down a nurse.

The buck then jumped through the window and left the building.

Nobody was seriously injured. The three people refused medical treatment.

CBS Chicago, 10/27/22

## **Contrary Guidance - "We da 'Govment' & we heah ta hep"**

New guidance from CMS addresses providers' requirements for providing behavioral health and substance disorder assistance. The guidance makes it more difficult to deny admission based of a potential resident's illicit drug use.

But while the new language both expands access to skilled nursing care for such patients, it also sets a new prohibition on searches that limits providers' ability to check for illegal drugs.

"These people have the same rights as you and I," said Evan Shulman, director of the CMS Nursing Home Division. "If providers feel someone has illicit drugs, they need to call law enforcement."

McKnight's, 10/24/22

## **SNFs Under Microscope Again on Readmissions**

The HHS-OIG said it plans to more closely scrutinize "possibly preventable" readmissions of residents to hospitals.

A planned audit is yet another expansion of its oversight of unnecessary hospitalizations of skilled residents.

Citing studies that show that 78% of transfers of LTC residents to hospitals were for one of five conditions — pneumonia, congestive heart failure, UTIs, dehydration, and COPD/asthma — OIG will review hospitalizations of SNF residents with any of those conditions.

The agency also found that sepsis is preventable if the underlying cause is preventable and will include it in this audit.

McKnight's, 10/27/22

## **Staffing a Bit Better – But Not Good by a Long Shot**

You may still be struggling with staffing, but in a survey of senior operators, just 9%

reported severe staffing shortages at their organization — down from 25% back in March.

Still, according to NIC's Executive Insights Survey 24% of operators have had to limit admissions due to staffing shortages.

Attracting community and caregiving staff was the second most cited challenge operators faced (79%) followed by staff turnover (67%).

Employment in SNFs is up 18,300 jobs from its pandemic low of in March, according to data from the Bureau of Labor Statistics but nevertheless 220,000 jobs below the pre-pandemic levels.

Skilled Nursing News, 10/22/22

## **High Vax Rates for Flu - LTC Scores Last**

The National Institute for Occupational Safety and Health conducted a survey of 3600 U.S. healthcare workers to determine those receiving flu and COVID-19 vaccinations.

Overall, 80% had received an influenza vaccination during the 2021–22 season, compared to 76% in the previous season; 90% reported receiving one or more doses of a COVID-19 vaccine; 87% said they had completed the primary vaccinations; and 67% had gotten booster shots.

By occupation, healthcare providers who worked in long-term care settings were less likely to report that they were required to receive any vaccine compared with those working in hospitals and ambulatory care settings.

Clinical Daily News, 10/24/22

## **Top Five Symptoms Are 80% the Same**

Four out of five top COVID-19 symptoms were the same for participants who received two vaccine doses, one vaccine dose and those unvaccinated. Those symptoms are headache, persistent cough, sore throat, and a runny nose.

But the fifth of the top five was different in each category.

Miami Herald, 10/25/22

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

**WASHINGTON, DC:** The Biden administration is worried that tens of thousands of Americans could die this winter because they did not get a coronavirus vaccine or treatments. The United States has made strides in covid management efforts. Still, nearly three years into the pandemic, people are tired of masking, mandates and the constant barrage of varying information related to the coronavirus (*The Washington Post*).

**ILLINOIS:** The state's Department of Veteran Affairs reports 65 new 'mild' cases of COVID-19 at LaSalle Veterans' Home, site of deadly outbreak two years ago when 36 residents died. This time the disease that has affected 23 staff and 42 residents is described as 'mild.' No one has required hospitalization (*Chicago Sun-Times*).

**WASHINGTON state:** Washington State University announced it will soon eliminate a COVID-19 vaccine requirement for most employees, contractors, and volunteers. WSU said the change was "due in part to the success of previous COVID-19 vaccination efforts." But not so for students. Students enrolled on a physical WSU campus through the 2022-23 academic year" (*WSU news release*).

**SOUTH AFRICA:** A study involving almost 200,000 men and women in South Africa, found that although coronavirus vaccination effectively prevented severe illness in most of them, it worked best in people who exercised regularly. They were about 25% less likely to be hospitalized with COVID than sedentary people (*The Washington Post*).

**CALIFORNIA:** Another study, of almost 50,000 Californians who tested positive for the coronavirus before vaccines were available found that those who had regularly walked or otherwise worked out before falling ill were about half as likely as sedentary people to need hospitalization (*The Washington Post*).

**AMERICA:** The Advisory Committee on Immunization Practices unanimously voted on Oct. 20 to approve updated versions of both the adult and pediatric immunization schedules for 2023, which

include COVID-19 vaccines. The vote now needs the CDC's sign-off, which the agency is expected to give. If that happens, vaccines to protect against the coronavirus will appear on the CDC's recommended immunization schedule alongside familiar childhood vaccines against such as hepatitis, meningitis, polio, flu and measles (*Yahoo News*).

**WASHINGTON, DC:** President Joe Biden rolled up his sleeve and got his updated COVID-19 booster shot Tuesday, as he urged millions of people who have yet to be boosted to do so by Halloween. Biden also called on Congress to provide the billions of dollars the administration has requested to buy additional vaccines, tests and treatments (*ABC News*).

**ARIZONA:** State Senate Republicans are taking credit for standing up to a new push by the CDC to have kids vaccinated against COVID before attending school. Only thing is, the CDC never actually issued a mandate. In fact, the federal agency, in making the recommendation last week, specifically said that such decisions were up to individual states (*KAWC Radio*).

**WASHINGTON, DC:** The director of the CDC tested positive for a coronavirus infection. Dr. Rochelle Walensky, who is up to date on her vaccinations, tested positive Friday Oct 21 and had mild COVID-19 symptoms. She isolated at home last week (*LA Times*).

**AMERICA:** In the ongoing ACTIV-6 trial scientists observed no significant differences in relief of mild-to-moderate symptoms between participants taking ivermectin, fluticasone, or fluvoxamine and participants taking placebo. There was no difference observed in the number of hospitalizations or deaths between patients taking any of those three drugs and participants taking placebos (*MedPage Today*).

**AMERICA:** Men died of complications from Covid-19 at a higher rate than women in both rural and urban parts of the U.S. during the first year of the pandemic. A CDC study revealed death rates were at least 50% higher for males

compared with females. The greatest difference between the genders was found in so-called large central metropolitan areas, where Covid-19 death rates were 78% higher for males (*The Wall Street Journal*).

**THE WORLD:** Two new studies suggest that the bivalent coronavirus booster shots authorized in August to target the omicron subvariants are not superior to the original boosters authorized in 2021. The studies from researchers at Columbia University, the University of Michigan and Beth Israel Deaconess Medical Center in Boston included a small number of participants. The results: "They showed that either shot increases antibody levels" (*The Washington Post*).

**FLORIDA:** The so-called "nightmare" coronavirus mutation fueling a surge of infections in Singapore has been found in Florida. A COVID test conducted Oct. 5 detected the XBB strain of the coronavirus' omicron variant. XBB has been called the "nightmare" variant in some news reports because of its ability to penetrate immunity built by COVID vaccines. It is a combination of omicron offshoots BA.2.10 and BA.2.10.75 (*The Palm Beach Post*).

**THE WORLD:** In a study of more than 16,000 individuals, researchers found that 15% of participants with a prior positive COVID-19 test reported symptoms lasting longer than two months. Researchers found that older adults and females had the greatest risk of long COVID. Among the most commonly reported symptoms were fatigue (52.2%), loss of smell (43.7%), brain fog (40.4%) and shortness of breath (39.7%) (*JAMA Network Open*).

### **COVID-19, 10/28/2022**

**Global Cases – Deaths**  
630,078,508 – 6,588,769

**U.S. Cases – Deaths**  
97,447,532 – 1,070,264

226.6 = 70% of the country's population is fully vaccinated

*Johns Hopkins University*

## **Moral Injury Focuses On Impact of COVID on Staff**

Volunteers of America recently added moral injury resources to its lengthy list of programming. It's an expanding program that addresses struggles LTC workers experienced while providing care during the on-going pandemic.

VOA launched the program months ago, based largely on anecdotal concerns about healthcare providers' ability to cope with impossible decisions they'd been faced with during the pandemic — and reports of spiking suicides among those providers.

Mike King, president and CEO, announced last week that VOA would assist other providers in creating their own programs under the Resilience Strength Time, or REST, umbrella.

*McKnight's, 10/27/22*

## **It's Prison for Nurse Who Diverted Opiates**

A Montana nurse who pleaded guilty to stealing opiates while working in health care centers was sentenced to federal prison.

Shantyl Marie Giacoletto, 30, diverted hundreds of oxycodone and hydrocodone pills from a community hospital in Anaconda and three nursing homes in Butte and Deer Lodge, Montana.

After a significant drug diversion at the Ivy in Deer Lodge all staff provided urine sample, except Giacoletto, who refused and left the facility, then returned and provided a sample that was cold and yielded an inconclusive result.

She will serve a year and a day in prison.

*DOJ news Release, 10/13/22*

## **Nursing Home Kaput But May Reopen as RCF**

A shuttered nursing home on a Maine has island laid out its intention to reopen as a residential care facility next year.

The Island Nursing Home, on Deer Isle, which closed in 2021, is eyeing a return as a 32-bed residential home with up to 20 employees.

In September the home sold the licenses for two-thirds of its beds to help fund the residential plan.

Many people in the community pushed for the home to keep skilled care, but the home said it's impossible due to the lack of skilled nurses in Maine.

*The Bangor Daily News, 10/27/22*

## **Lately SNFs Marketing Much like Assisted Living**

Much like senior living tactics, skilled nursing facilities are increasingly recruiting their own sales and marketing staff to shore up referrals.

"They're add-ons and new positions," said Julie Osborne, director of recruitment for national healthcare search firm LeaderStat. "Where they may have had one internal [admissions employee], now they're looking to add on external sales or marketing individuals to help with census development

The move allows facilities to lean less on already busy directors of admission and appoint less clinically involved staff to pursue new business leads and focus on patient and family satisfaction.

*McKnight's, 10/25/22*

## **Provider-Supplied Housing For Nursing Home Staff**

Some providers have found it helps in retaining staff to provide affordable housing nearby — especially in areas where rents are high.

The latest to create this employee benefit is Navigator Homes of New England.

It is developing a Green House Project-inspired homes to 70 seniors with skilled nursing needs in Martha's Vineyard.

Navigator plans to provide a building with 76 below-market-rate bedrooms, 30 of which are designated for the Navigator Homes skilled nursing staff.

If approved by the Martha's Vineyard Commission, the facility and employee housing are slated to open in 2024 and will replace the island's only nursing home.

*McKnight's, 10/25/22*

## **ONE COLUMN**

### **More Abuse Citations**

### **Likely with Phase 3 Rules**

Surveyors have begun enforcing compliance with new Requirements of Participation guidance. It includes hundreds of pages of challenging changes to abuse reporting and investigation, resident rights and substance abuse care standards.

CMS made significant revisions to clarify types of abuse, what surveyors need to regulate and what they don't, and how quickly states should respond to complaints of abuse potentially resulting in Immediate Jeopardy.

Changes made to the new Requirements of Participation guidance - that went into effect this month might trigger more citations for resident-to-resident altercations.

While the new guidance cautions inspectors to "not assume that every resident-to-resident altercation results in abuse," it leaves the interpretation up to an inspector's understanding of a resident's willful infliction of injury, pain or mental anguish.

The guidance emphasizes use of the Psychosocial Outcome Severity Guide to measure the impact of abuse. Surveyors are encouraged to apply its "reasonable person" concept to measure the potential outcome a deficiency may have had on a resident.

"There are situations that are likely to cause psychosocial harm which may sometimes take months or years to manifest and have long-term effects on the resident and his/her relationship with others," the guidance states. "Therefore, during a survey Immediate Jeopardy or Actual Harm may be supported when there is not an observed or documented negative psychosocial outcome.

Nursing homes should also prepare for speedier investigations. The new guidance starts the response clock ticking as soon as surveyors receive a complaint. States must act within three days for an Immediate Jeopardy complaint, and in an average of 15 days in response to a complaint with high potential for harm.

*McKnight's, 10/24/22*

## Missouri Looking to Revive Its Veterans Homes

Stating that the revenue model it is working under hasn't changed in at least four decades, but senior care clearly has, the Missouri Veterans Commission has issued a "request for proposal" for a contractor to develop a "next-generation operating model" for its facilities.

MVC is seeking options such as adult day health care, assisted living, short-term skilled care, short-term palliative care, skilled long-term care, skilled memory care, skilled mental health care, and allowing spouses to admit.

The winning outside firm will make recommendations on everything from revenue structure and reimbursement opportunities to appropriate census, levels of care and capital improvements.

*McKnight's, 10/25/22*

## Investigation Nets Nine Who Stole From Indian Nursing Home

Nine persons have been arrested for allegedly stealing gold and cash cumulatively worth ₹ 1.01 crore (about \$122,000 USD) in July this year from a Ulhasnagar nursing home in Thane district of India.

A probe led to the arrest of seven persons, including a woman lab technician of the nursing home, who had given information about the money to the others.

Two jewelers who had purchased the stolen gold were also arrested.

*NDTV, 10/17/22*

## SNF Nurse Who Wasn't Arrested in South Carolina

From January 2020 until January 2022, Alyssa Beth Steele, 37, of Anderson, SC allegedly used a State of Georgia Board of Nursing license number belonging to someone else to gain employment as a registered nurse in seven nursing homes in three South Carolina counties.

At no time during that period did Steele have the certifications, qualifications, or training required of a registered nurse.

Steele has been charged with multiple counts of Neglect of a Vulnerable Adult, Unlicensed Practice as a Registered Nurse, Financial Identity Fraud to Obtain Employment and Obtaining Signature or Property Under False Pretenses.

*SC Atty General news release, 10/27/22*

## Science and Politics Clash Over Virus Origin

The top Republican on the Senate health committee said in a report that the coronavirus pandemic was most likely caused by a laboratory incident in China.

The report offered little new evidence and was disputed by many scientists, including those who believe the outbreak originated instead at a live animal market.

The report, released by Senator Richard M. Burr, Republican of North Carolina, grew out of a joint inquiry with the committee's Democratic chairwoman that proponents of the effort hoped would add a measure of bipartisan credibility to a highly charged debate.

But the preliminary findings, bore only Burr's signature.

*The New York Times, 10/28/22*

## Six Months on a Vent But Now She's Home

A Van Buren, Arkansas woman returned home last week following a battle with COVID-19.

Dubbed the 'miracle patient', Diana Pease was on a respirator for over a year in a nursing home in Illinois and on a ventilator for six months.

The 55-year-old drove back from Illinois with a cousin and was greeted by friends, neighbors and loved ones at a welcome home party at their Van Buren apartment complex.

"That was awesome," said Pease, who is still having trouble breathing due to scar tissue. "It was amazing, it made me cry."

*KHBS-TV, 10/23/22*

## Briefly in the News

A gunman on parole and wearing an ankle monitor allegedly walked into the room at Dallas Methodist Medical Center where his girlfriend had just given birth, pistol whipped the new mother and shot and killed a nurse and a social worker. 30-year-old Nestor Hernandez has been charged with two counts of capital murder (*KDFW-TV*).

Even after *multiple waves* of COVID-19, many in healthcare failed to grasp the singular importance of nurses. Then came the Great Resignation, which saw more than 100,000 nurses leave the profession in 2021 alone: the highest number in almost half a century. Now comes word from the U.S. Bureau of Labor Statistics that the nation will require an additional 275,000 nurses by 2030 (*Workplace Evolution*).

New CDC research examined clinical case data for 57 patients hospitalized with monkeypox complications and found that 82% had an HIV infection – 95% of the patients were male and most (68%) were Black. Seventeen of the patients were hospitalized in the intensive care unit and 12 of them died. Of the patients who died, monkeypox was a cause of death or contributing factor in five. In one death monkeypox was not the cause of death and five remain under investigation (*CDC Morbidity and Mortality Weekly Report*).

Ziegler and LeadingAge have released the 19th Edition of the *LeadingAge Ziegler 200 (LZ 200)* publication. The report details the nation's 200 largest not-for-profit senior living providers, as well as relevant business trends for the industry. The 2022 LZ 200 report reflects the largest 200 providers of not-for-profit multi-site organizations, the largest 150 single-site campuses, and largest not-for-profit sponsors of government-subsidized multi-site housing (*Ziegler*).

Daniel R. Canchola A Texas doctor pleaded guilty for his role in a \$54 million scheme to defraud Medicare by prescribing durable medical equipment and cancer genetic testing without ever seeing, speaking to, or otherwise treating patients (*DOJ*).