

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT:

"Younger workers have reacted strongly against the "stick it out" philosophy of their parents' generation and have much less tolerance for unsatisfactory work conditions" Cara Silletto, employee retention expert and president of Magnet Culture

"The proposal will fail because it does not consider two major issues: the ongoing workforce crisis and the proposal's astronomical implementation costs" LeadingAge CEO Katie Smith Sloan on the CMS staffing proposal

'..... it is unfounded, unfunded, and unrealistic" Mark Parkinson, CEO AHCA

Hey Bobby – TTAR Take the Money and Run

Trilochan "Bobby" Singh, a nursing home whistleblower who won a \$45 million case against the nursing home owners for whom he worked, lost his appeal when a Federal judge rejected his argument that the judgment wasn't big enough.

Singh, VPO and COO of Paksn, alleged the company's owners engaged in multiple kickback schemes – illegally paying physicians hundreds of thousands of dollars for referrals.

The owners were charged with submitting false claims from seven nursing homes they owned and operated in California. The judge rejected Singh's claims that the owners could afford to pay more and were hiding assets.

Senior Living, 11/09/2023

Not Everyone Opposes Biden's Staffing Mandate

Fifteen state attorneys general and 12 US senators have submitted separate group letters strongly supporting the proposed nursing home staffing mandate from the Centers for Medicare & Medicaid Services.

The high-profile pro-mandate letters are counterpoints to a coalition of 15 Republican governors, who urged CMS to reconsider.

The AGs also strongly encouraged CMS to include a minimum hourly requirement for LPNs — a measure currently omitted from the proposed rules.

Their arguments come during a period of unprecedented scrutiny and controversy from the public and elected officials. Nearly 50,000 comments were sent to CMS before the comment period ended Monday.

McKnight's, 11/09/2023

Immigration Bill Seeks to Reissue Visas for Healthcare

Lawmakers are trying again to push through immigration reform allowing officials to recapture unused visas and reprocess them for nurses and other healthcare professionals.

The bipartisan bill would allow the Citizenship and Immigration Services to "recapture" green cards already authorized by Congress but not yet used. Up to 25,000 visas would be offered for nurses, and up to 15,000 would be offered to physicians. No new visas would be authorized under the measure.

The legislation was applauded by provider groups who see the visas as a measure to offset the severe workforce crisis that is particularly harsh in nursing homes.

McKnight's, 11/06/2023

Health System Cleared In Whistleblower Case

Catholic Health System of Long Island (NY) that used nursing home reimbursements in other parts of its

business is not subject to false claims litigation.

A whistleblower filed suit in 2012 claiming Catholic Health System had incorrectly routed reimbursements earned for services at St. Catherine of Siena Nursing Home to St. Catherine of Siena Medical Center.

The appeals court found that Federal and state laws don't dictate how Medicaid and Medicare reimbursements must be dispersed. It sent the case back to a district court with instructions to dismiss it.

Bloomberg, 10/18/2023

Another Settlement Money Delay From Hurricane Ida

Over 800 residents kept in a leaky Louisiana warehouse during Hurricane Ida in 2021 still have not received a cut of a \$12 million pot.

The individuals were residents of seven nursing homes owned by Bob Dean who also owned the warehouse.

They were supposed to receive the cash on June a district judge has now extended the payments till December 30.

Slightly fewer than half of the residents have filed claims for the money and a judge approve \$1000 payments as a way to keep most residents Medicaid-eligible.

To Date 169 of the residents have died since the storm.

McKnight's, 11/04/2023

North Carolina Opens New State Veterans Home

North Carolina's fifth state nursing home for veterans opened last week in Kernersville – between Greensboro and Winston-Salem.

The newly built North Carolina State Veterans Home has 120 beds including a 24-bed memory care unit and hospice care, as well as private rooms and baths.

Requirements for veterans to apply include serving on active duty for at least one day other than for training purposes, and being a resident of North Carolina for at least 2 years,

WHQR, 10/31/2023

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

THE WORLD: The global COVID-19 vaccination campaign is the largest public health campaign in history, with over 2 billion people fully vaccinated within the first 8 months. Researchers estimate that the vaccination campaign across 141 countries averted 2.4 million excess deaths, valued at \$6.5 trillion (*National Bureau of Economic Research*).

MARYLAND: A team of University of Maryland researchers developed a nasal spray vaccine that delivers the SARS-CoV-2 spike protein into cells of the airway in mice and hamsters, triggering an immune response that significantly reduced infection and spread of COVID-19. The technology can be adapted to induce immunity to other respiratory illnesses, such as influenza and respiratory syncytial virus (RSV) infections (CIDRAP).

AMERICA: Yet again, there's a new COVID variant on the scene. Experts say don't sweat it. The CDC projects that the HV.1 variant accounts for nearly 20% of cases. Only the EG.5 variant makes up a larger proportion of cases, estimated at 24%. Shishi Luo, PhD, head of infectious diseases at Helix, which sequences SARS-CoV-2 in samples from both outpatients and hospitalized patients, said HV.1 hasn't raised any red flags yet (*MedPage Today*).

AUSTRALIA: Carnival Cruise Lines which failed to cancel a voyage from Sydney to New Zealand that led to a major COVID-19 outbreak was ruled negligent in its duty of care to passengers in a class-action case. The Court ruled that Carnival had been negligent by allowing the cruise to depart in the early months of the pandemic. One passenger filed a \$230,000 lawsuit but was awarded only \$2823.28 – her out-of-pocket expenses because Carnival had refunded all the passengers' fares (*AP*).

THE WORLD: In a study in Sweden and Maryland (U.S.), researchers from the University of Gothenburg in Sweden and Meso Scale Diagnostics in Maryland looked at 25 people diagnosed as having neurocognitive long COVID found no significant differences in the blood or CSF of immune activation or brain injury

biomarkers (*The Journal of Infectious Diseases*).

NORWAY: University of Bergen researchers analyzed national registry data to assess the prevalence of and risk factors for long COVID at least 3 months after infection. A total of 53,846 people who tested positive were compared with 485,757 uninfected matched control participants. By a more than 2-to-1 margin COVID-19 survivors had higher rates of most studied symptoms – shortness of breath, fatigue, memory loss and headache (*BMC Infectious Diseases*).

AMERICA: Vaccines for COVID-19 and flu might raise the risk of strokes for older people, especially when given together and to seniors over 85. But the FDA-identified risk is small – about three strokes or TIAs per 100,000 doses. The FDA found a slightly higher risk of stroke for people 65 and older who had received only a high-dose flu shot (*CNN*).

NEW JERSEY: Scott Lee, an entrepreneur who lives in North Bergen, N.J., said that when he tried to find a Novavax shot through the C.D.C.'s vaccine finder, it sometimes showed the shots as available when they actually were not, and vice versa. When he tried to book an appointment online at CVS, he had to fill out a lengthy scheduling form — only to realize at the end that he needed to speak with a pharmacist by phone first to get a Novavax shot. CVS now says Novavax is carried at all locations and that appointments are not required (*CIDRAP*).

AMERICA: The price of the lifesaving Covid-19 medication *Paxlovid* is likely to rise next year for most patients as the United States continues to transition out of the emergency phase of the pandemic. How much? The new price – the cost before insurance – hasn't been set but is expected to be higher than the \$530-per-course price paid by the US government (*CNN*).

SILICON VALLEY: A Silicon Valley executive who lied to investors about inventing technology that tested for allergies and COVID-19 using only a few drops of blood was sentenced to eight

years in prison. Mark Schena was also ordered to pay \$24 million in restitution. He was convicted last year of paying bribes to doctors and defrauding the government after his company billed Medicare \$77 million for fraudulent COVID-19 and allergy tests (*DOJ*).

FLORIDA: A former Florida lawmaker who sponsored the state's controversial "Don't Say Gay" bill has been sentenced to four months in federal prison. Former state Rep. Joe Harding pleaded guilty to charges related to COVID-19 relief funds. The former state representative admitted he created bank accounts for two dormant businesses and used them to fraudulently apply for pandemic relief loans from the Small Business Administration. He collected about \$150,000 (*AXIOS*).

SINGAPORE: A study in *JAMA Network Open* based on outcomes seen among Singaporean children ages 4 years and younger showed good protection for two doses of monovalent mRNA COVID vaccines during an Omicron surge. The authors said the findings support vaccinating this age-group, despite low incidence of severe disease or hospitalization (*CIDRAP*).

AMERICA: The U.S. Centers for Disease Control and Prevention (CDC) revealed it was expanding testing of samples collected from international air travelers beyond COVID-19, to include flu and respiratory syncytial virus (RSV) beginning this month. The agency's traveler-based genomic surveillance program, or TGS, began in 2021 to help with early detection of new SARS-CoV-2 variants. CDC conducts voluntary nasal swabbing and airport wastewater sampling as part of it (*CIDRAP*).

COVID-19, 11/10/2023

Global Cases – Deaths
771,820,832 – 6,978,175

U.S. Hospitalizations – Deaths
6,542,832 – 1,151,435

Global Vaccine Doses
13.5 Billion

Vaccine Misinformation Has Grown in the U.S.

A survey from the Annenberg Public Policy Center of the University of Pennsylvania found that the share of people who viewed vaccines as less safe and effective has increased since April 2021.

The percentage of Americans who believe that vaccines are safe dropped 6 percentage points since April 2021 to 71%, while the share of adults who don't think the approved vaccines are safe nearly doubled – increasing from 9% to 16%.

People with views about the vaccines causing autism, cancer and illnesses such as the flu or Covid-19 also ticked up.

CNN, 11/02/2023

Nurse Charged with Killing 2 Confesses to More Attempts

Authorities in Pennsylvania say a former nurse, who was arrested in May on homicide and other charges, has confessed to trying to kill 19 other people.

Heather Pressdee, 41, was previously accused of having prescribed excessive amounts of insulin to patients, ultimately killing two patients and hospitalizing a third.

In an "affidavit of probable cause," the state attorney general said Pressdee had now admitted to trying to kill 19 other patients with insulin at five different facilities.

In total, according to an AG news release, seventeen patients died who had been cared for by Pressdee.

People Magazine, 11/03/2023

Nurse Charged - Allegedly Slammed Resident's Face

A nurse at an assisted living facility is facing charges after she allegedly hit a patient in the face and slammed her into a wall causing facial fractures.

Kassandra Aihe, 24, was arrested and charged with battery on a person 65 years or older at the ALF in Casselberry, Florida.

The police report said the resident became combative when Aihe attempted to return her to her room. her room and Aihe grabbed her by the hair.

The executive director of the ALF told police the resident was sent to the hospital two days later because her face became severely bruised.

WOFL-TV, 11/06/2023

Molina Out of the Running As an Indiana MCO

Molina, one of four companies initially selected to administer a long-term Medicaid contract in Indiana was cut from the program in late September.

In March, the state's Family and Social Services Administration announced it had recommended Molina, UnitedHealthcare, Anthem Blue Cross, and Humana Healthy Horizons for contracts to administer the Pathways for Aging program that is scheduled to launch July 2024.

Molina said deemed it was not to have met the readiness review requirement.

The readiness reviews are still underway, and the state has yet to award the contracts, which are worth an estimated \$15 billion.

McKnight's, 10/13/2023

County Gets Creative To Alleviate Staffing Shortage

Monroe County in upstate New York will use \$11 million in federal funds to expand two nursing workforce development programs to address staffing shortages in long-term care facilities.

\$5.5 million from the municipality's share of American Rescue Plan funding would go to Finger Lakes Performing Provider Systems' Long-Term Care Workforce Program to create career pathways in skilled nursing facilities.

Another \$5.5 million from the same federal allotment will go toward a partnership with Monroe Community College to expand clinical nursing programs.

McKnight's, 10/16/2023

ONE COLUMN

The Top Ten List Of What Kills Americans

The top three causes of death were heart disease, cancer and COVID-19, which accounted for more than half of the mortalities — despite the fact that death rates have been declining for both cancer and heart disease over the last 20 years.

Among a total of 3.46 million deaths in the year 2021, 74.5% of them were attributed to 10 causes.

Heart disease: 695,547; 2. Cancer: 605,213; 3. COVID-19: 416,893; 4. Accidents: 224,935; 5. Stroke: 162,890; 6. Chronic lower respiratory diseases: 142,342; 7. Alzheimer's disease: 119,399; 8. Diabetes: 103,294; 9. Chronic liver disease and cirrhosis: 56,585; 10. kidney disease: 54,358.

The age-adjusted death rate decreased for six of these causes between 1999 and 2021, with the sharpest declines seen for influenza and pneumonia (-55.3%), heart disease (-34.8%) and strokes (-33.3%).

.. People age 85 and older have the highest mortality rate in 14 of the 16 leading causes of death — with the exceptions of liver disease and homicide, which primarily affect younger groups.

Unintentional injury deaths rose 83% over the time period with, men having a higher mortality rate than women for all but two of the leading causes of death.

African Americans had higher rates of heart disease and hypertension. Native Americans were more likely to die from unintentional injuries, chronic liver disease, cirrhosis and diabetes

Heart disease was the leading cause of death among U.S. adults in 2021 - men had a 61.9% higher rate of heart disease deaths and were more than 50% likely to die from an unintentional accident.

Alzheimer's disease deaths rose by 88%. Women were 47.5% more likely to die from Alzheimer's disease.

USAFacts, October 2023

Transparency or Just A Slowdown, We'll See

A new state law intended to make nursing home ownership more transparent, advocates say, is likely to slow down mergers.

In Connecticut, the biggest change takes away an exemption governing changes of ownership to relatives. Required filings dealing with change of ownership now include anyone related by blood or marriage.

Change of ownership applications must be submitted at least 120 days before any change occurs, and that is likely to bog down the process of mergers or sales as the state Department of Health must review all aspects of a sale.

McKnight's, 10/25/2023

LTC Alternative Suggested in Wyoming

Concerned that nursing homes in the state would be closing due to staffing issues, Department of Health officials recently advised the state legislature against restarting Wyoming PACE.

The adult day care effort provided transportation to adults 55+ a couple times per week to a center, where they were provided services such as meals, primary care, case management.

PACE ended three years ago due to budget cuts.

The Department suggested a home-based demonstration project to see whether enough nursing home stays are diverted to pay for the annual \$5 million project.

Wyoming Tribune Eagle, 10/06/2023

Avamere Living Brings Therapy Back In-house

Avamere Living has decided to embark on a journey to bring all of its therapy back in house.

Avamere's 34 facilities in Oregon and Washington will convert to having their own staff therapists by the end of the year in a move meant to improve operational control and patient outcomes.

Altum, 10/20/2023

The shift bucks recent trends, especially following the adoption of the Patient Driven Payment Model and the COVID pandemic, which reduced how much therapy was delivered to residents and, frequently, how it was being delivered.

Both states have a high concentration of seniors on Medicare Advantage plans.

McKnight's, 10/10/2023

Medicare Advantage Plans' Star Ratings Fall Again

Star ratings for Medicare Advantage plans fell after the pandemic when relaxed COVID-era criteria were dropped.

This year, FY2024, they fell for the second consecutive year – from 4.14 in FY2023 to 4.04.

Approximately 42% of MA plans with drug coverage earned four or more stars, a more than 17% decrease from 2023. However, CMS estimated 74% of enrollees are in one of the high-rated plans – a 2% increase from this year's proportion.

The ratings are a closely watched metric intended to help seniors pick better-performing plans, based on up to 40 quality measures.

Axios, 10/16/2023

Nursing Home Care Moves Near Top in Health Spending

Nursing home care represented one of the fastest-growing categories of national health spending in August, with year-over-year growth of 10.1%.

Among the major healthcare categories, prices for home healthcare (6.1%), nursing home care (5.1%) and dental care (4.7%) grew the fastest, whereas physician and clinical services (0.6%) price growth was the slowest.

Nursing home and residential care employment, while growing steadily in recent months, still remains 5.4% below its pre-pandemic level in February 2020.

Altum reported that healthcare wage growth in August was 3.4% year-over-year, compared with total private-sector wage growth of 4.3%.

Briefly IN THE NEWS

The number of publicly announced senior housing and care acquisitions in the third quarter of 2023 fell to 115 deals, representing a 4% decrease from the 120 transactions disclosed in the second quarter of 2023, and an 18% decline from the 140 deals in Q3 2022. In addition, the \$700 million spent on Q3 2023 transactions was the lowest quarter spend in the past decade – 46% from the \$1.29 billion spent on transactions in the second quarter this year and down by 82% from the \$3.87 billion spent in the year-ago third quarter (*Telegraph Herald*).

LTC Properties' conservative investment approach paid off in the third quarter as the company's top executive said the real estate investment trust's skilled nursing occupancy resumed its upward crawl and overall market indicators continued to improve. AMC in September was 73% compared to 71% a year earlier. IN pre-pandemic 2019 it was about 80% (*McKnight's*).

Several former employees of Saint Luke's Hospital of Kansas City are alleging the hospital, part of the Saint Luke's Health System, failed to properly clean and repair operating room instruments, used rusty instruments during operations and failed to address an ongoing problem with cockroaches in and around the OR (*Kansas City Star*).

Each year, more than 6.6 million people worldwide die from strokes, and researchers caution that the number is increasing, especially in young and middle-aged people and in low- and middle-income countries. Researchers predicted that stroke deaths will increase by about 50%, reaching 9.7 million deaths annually in 2050 (*The New York Times*).

Senior living occupancy is returning at Welltower facilities – 81.8% of facilities it operates and 80.9% of the facilities the REIT Leases. Average nursing home occupancy for 3Q was 80.3%. Welltower now has 258 long-term care and post-acute facilities with a combined 32,265 beds (*McKnight's*).