

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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Vol 8

03/31/2024

THEY SAID IT:

"Some of these people [frontline staff] are not treated very well. They are overwhelmingly women. They're overwhelmingly people of color. There are large numbers of immigrants. As we sit here today, there are thousands of undocumented workers in our buildings who actually have to work under artificial names because our government is just so backwards in how they look at these incredible heroes" AHCA's Mark Parkinson accepting the 2024 McKnight's Pinnacle Awards Career Achievement

"4 years is too long to wait for answers and to wait for accountability" Voices For Seniors Director Tracey Alvino on a yet-to-be completed report on NY decisions during the pandemic

LTC Rejects Call For NJ Act to Be Standard

In January NJ's acting comptroller temporarily suspended four SNFs he deemed to have been delivering poor care.

Those suspensions targeted owners whom the state considered responsible for neglectful care or financial fraud. The owners in question also were ordered to divest ownership of the facilities.

Andy Aaronson, CEO of the Health Care Association of NJ noted there are existing enforcement regulations. "For the state comptroller's office to bypass that model in order to establish itself as the 'judge, jury, and executioner' with authority to suspend any provider it deems a 'bad actor' is an incredibly dangerous abuse of power."

McKnight's, 03/29/2024

CMS Proposes 4.1% Pay Hike But

The Centers for Medicare & Medicaid Services Thursday proposed a 4.1% pay increase for nursing homes in fiscal 2025 but declined to issue an update on its staffing minimum proposal as part of its annual payment rule proposal.

In addition, the agency has proposed an expanded Civil Monetary Penalty process that would allow "for more per instance and per day" to be imposed.

The proposal also includes changes in the Patient-Driven Payment Model ICD-10 Code Mappings and Value-Based Purchasing updates.

Top executives had been hoping for more than the "modest" pay hike from CMS this year.

McKnight's, 03/28/2024

Probation, No Slammer Time for Veterans Home Leaders

Two former officials the Veterans' Home in Holyoke, Massachusetts where 76 people died in one of the nation's worst COVID-19 outbreaks in a long-term care facility, settled their criminal case without having to go to jail.

Prosecutors had sought guilty pleas and three years' probation on the charges including one year of home confinement.

Former superintendent of Bennett Walsh, and former medical director Dr. David Clinton received three months' probation.

Families and state prosecutors were outraged. "It's disgusting, absolutely disgusting," said Susan Kenny, whose father died of COVID-19 at the facility. "It's just an injustice. There is no accountability."

ABC News, 03/26/2024

Another Facility Linked to "Killer Nurse" Sued

Sunnyview Health and Rehab, near Pittsburgh, is the latest SNF facing lawsuits from deaths linked to so-called "killer nurse" Heather Pressdee.

The family of 43-year-old Nicolas Cymbol filed a wrongful death lawsuit against the Butler County facility Wednesday.

Early in March a suit was filed by the son of Marguerite Laskovich, 80, who died at the facility in 2023.

Both lawsuits allege the nursing home was negligent in hiring Pressdee, had worked at 10 SNFs in the previous four years.

Pressdee, charged with four insulin overdose murders, has been linked to 17 deaths in five facilities.

Pittsburgh Post-Gazette, 03/27/2024

AZ Senate Looking at More Regs for Nursing Homes

A bill to regulate memory care and nursing home facilities is working its way through the Arizona Senate.

The measure would increase nursing home fines up from \$500 to \$1,000 for non-compliance.

"Which is OK, that's not a whole lot of money for these facilities," said Will Humble, executive director of the Arizona Public Health Association, "but they can assess the penalty per patient per day. That's where the real risk and leverage comes."

Another focus of the bill is to define memory care in state law and require that a facility which claims to provide it, must have proper certification.

KJZZ Radio, 03/25/2024

Two Die in Japanese Nursing Home - Murder Suspected

Two elderly men died at a nursing home in Kitakyushu City in Japan's southwestern prefecture of Fukuoka, sparking a police investigation as a suspected murder case.

The two men, both in their 70s and residents of the facility, were found collapsed inside the facility when police officers and EMTs arrived. They were pronounced dead at the scene.

One of them had sustained injuries to the neck, and either that person or the other had wounds to the abdomen.

Borneo Bulletin, 03/24/2024

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

AMERICA: Flu activity finally is declining following a lengthy post-holiday bump. The CDC said indicators of COVID and respiratory syncytial virus (RSV) also declined. For all three viruses, test positivity and emergency department visits declined in recent weeks. Nine jurisdictions reported high or very high activity, down from 17 the previous week (*CIDRAP*).

THE WORLD: Experts say people who are immunocompromised should get a COVID vaccine about every 6 months, with the caveat that intervals between vaccine doses should be tailored to individual patient needs. Because immunity wanes over time, Camille Kotton of Massachusetts General Hospital says it a good idea to “Keep boosting every 6 months” (*MedPage Today*).

NEW YORK: Republican lawmakers and nursing home advocates called for the release of a report commissioned by the state looking into decisions made during the pandemic – including the directive by the Governor’s office that no one infected with COVID-19 could be turned away from a nursing home. At least 15,000 New Yorkers in nursing homes died from COVID-19 (*WRGB-TV*).

WYOMING: COVID-19 is no longer among the top five causes of death for Wyoming residents, according to newly published Department of Health statistics for 2023. The coronavirus had been a leading cause of death for Wyomingites ever since 2020 (*Wyoming Public Radio*).

AMERICA: Four years into the COVID-19 pandemic, few Americans are especially concerned about catching the disease. A recent poll from Pew found that only 20 percent of Americans consider the virus to be a major health threat. Only 10 percent are concerned about becoming very ill or hospitalized. Less than a third have received an updated COVID-19 vaccine (*The 19th*).

AMERICA: A new study by a prominent team of researchers from the Yale School of Medicine and the Icahn School of

Medicine at Mount Sinai has found that women with long Covid had significantly

lower levels of testosterone compared to those who had recovered from their infection (*Bloomberg*).

UNITED KINGDOM: The government will end routine COVID testing for hospital patients discharged into care homes as of April 1. Health minister Maria Caulfield said the move was taken due to continued high levels of vaccination among at-risk groups, combined with wider access to treatments and the reduced impact of outbreaks. Care England, a representative organization for providers across the country, said they want testing to continue and warned of potentially “serious consequences” (*Sky News*).

CALIFORNIA: Four years ago this month, on March 19, 2020, amid the escalating threat posed by the novel coronavirus, Gov. Gavin Newsom issued a bold call to action, imploring all Californians to stay at home. At times, it feels like ages ago, almost like another lifetime, while other times it’s like it happened just yesterday. In just a few days, everything changed: Streets emptied, schools and businesses closed and supermarket shelves were stripped bare (*San Francisco Chronicle*).

AMERICA: The Department of Transportation (DOT) hasn't created a national aviation preparedness plan for infectious disease outbreaks, despite a 2015 GAO recommendation to do so. When tasked with identifying pandemic lessons for the report, the GAO reviewed more than 20 of its previous reports and documents from offices of inspectors general and aviation stakeholders and interviewed officials from the DOT and the Department of the Treasury. The information comes from a new report on lessons learned from the COVID-19 pandemic (*CIDRAP*).

WASHINGTON, DC: A Pentagon OIG review of the military's COVID-19 vaccine exemption process found that each of the branches largely complied with policies and, in some cases, even went beyond what was required to consider service members' requests for religious

accommodation. The Pentagon's inspector general did fault the Army and Air Force for taking too long to process the

requests and reported that discharges were inconsistent, leaving some service members with full benefits while others were left with partial benefits (*Military.Com*).

AMERICA: During the first month of the COVID-19 pandemic in the United States, the Families First Coronavirus Response Act (FFCRA) prevented Medicaid programs from disenrolling people during the public health emergency. For the first time in history, Medicaid-enrolled postpartum mothers were allowed insurance for more than 60 days past birth. This policy change, and other extensions to Medicaid made in 2021, led to a 40% decline in postpartum lack of insurance (*JAMA Health Forum*).

NEW YORK CITY: NYU researchers report hospitalized male COVID-19 patients younger than 75 who have a certain variant of a anti-inflammatory gene are at much lower risk of experiencing severe inflammation and dying of the disease. Among the 2589 patients studied, the overall death rate was 15.3% with more men than women dying (60.5% to 39.5%). However, men with the gene had significantly lower inflammatory biomarker concentrations; and a lower death rate (*The Journal of Infectious Diseases*).

THE WORLD: Researchers from Yale University and the University of Michigan report adults hospitalized for COVID-19 were at lower risk of needing medical care for migraine, epilepsy, neuropathy, movement disorders, stroke, and dementia in the next year than matched patients with influenza (*Neurology*).

<p><u>COVID-19, 03/29/2024</u></p> <p>Global Cases – Deaths 774,954,393 – 7,407,264</p> <p>U.S. Hospitalizations – Deaths 6,901,605/176 – 1,186,671</p> <p>CDC, WHO</p>

Hospital Transfers Banned, COVID Deaths Spiraled

A citizen-led Covid commission is suggesting the lives of more than 4,000 nursing home residents in Madrid, Spain could have been saved if the regional government had allowed them to be treated in hospitals.

Care homes grappling with staff shortages and lacking protective gear such as masks, medication and treatments such as oxygen, were allegedly left to their own devices

A total of 9,470 people died in March and April 2020 in Madrid care homes – roughly one in five residents. Most of those who died – nearly 7,300 – were not treated in a hospital.

The Guardian, 03/28/2024

Some Cyberattack Help From Uncle Sugar

The federal government has taken another step to support long-term care providers struggling with delayed payments following the recent cyberattack on vital billing clearinghouse Change Healthcare.

HHS released a list of national payer contact information, links to resources and information on advanced payments Monday.

The aim is to give providers consolidated access to the resources they need to navigate the still-ongoing effects of the cyberattack.

Long-term care leaders expressed support and gratitude for the new resource.

McKnight's, 03/28/2024

Workforce Grants in Minn. To Recruit Foreign Workers

A new \$28.3 million grant program in Minnesota is focusing on recruiting and retaining immigrants, refugees and new Americans to work in the state's LTC industry.

Grants fall within four tracks — basic needs and supportive services, recruit and retain, training and career education, and outreach — with

maximum awards ranging from \$250,000 to \$500,000.

The grants are intended to simplify the path to long-term care careers for foreign-born workers, regardless of their immigration status.

LeadingAge Minnesota indicated it was applying for a grant and urged its member facilities to follow suit.

Senior Living, 03/20/2024

Atlanta Pastor/Wife Indicted - Running Unlicensed Home

One Step Faith's Curtis Bankston and Sophia Simm-Bankston are both facing one count of operating an unlicensed personal care home; six counts of unreasonable confinement of a disabled adult; and one count of unreasonable confinement of a resident.

In 2022, emergency personnel responded to the facility on reports a patient was suffering a seizure. They found at least eight elderly and mentally disabled people lived in the basement where there was a mattress soiled with feces, bunk beds blocking windows, expired food and medication.

In the past Curtis Bankston has faced unrelated charges including child abandonment, battery and aggravated assault.

Atlanta News First, 03/25/2024

Protection From Retaliation For Residents and Workers

A bill in the Illinois Senate would amend existing law by expanding the definition of what counts as retaliation against whistleblowers in a nursing home.

The measure would create a broad swathe of protected behaviors for residents — such as disclosing or threatening to disclose information about a facility, testifying before a public body, trying to move themselves or others to a new facility and becoming a member or a resident council or union.

The bill passed through the Judiciary Committee March 12 and was first introduced on the full Senate floor two days later.

McKnight's, 03/18/2024

ONE COLUMN

Excerpt from Commentary in The Iowa Capital Dispatch by John Hale & Terri Hale

We were recently asked to grade the 2024 Iowa Legislature and Gov. Kim Reynolds on how well they've addressed issues surrounding quality of care in nursing homes.

Without hesitation, we gave an F. They've failed to take quality-of-care challenges seriously and failed to act.

Failure began prior to the session, when Republican leaders refused to respond to calls by citizens, advocates, elected leaders, and opinion page editors for legislators to do their job of oversight, to show concern and curiosity by investigating the ongoing challenges — and horror stories — in nursing homes.

The failure continued when, on the heels of numerous news articles identifying abuse and neglect in nursing homes, Gov. Reynolds didn't even mention nursing home residents in her Condition of the State Address.

Failure was further evidenced in how the governor's office responded to in-depth reporting by Clark Kauffman in the Iowa Capital Dispatch about the cozy relationship between nursing home lobbyists and elected leaders, along with the startling amounts of campaign dollars flowing to their election campaigns.

The governor's spokesperson asked Iowans to believe the unbelievable — that there's no relationship whatsoever between massive campaign contributions, the easy and ongoing access to key leaders by influential nursing home lobbyists, and the decisions made regarding public policies and appropriation of tax dollars for the industry.

Failure was also demonstrated when the Republican majority ignored a series of common-sense bills from Senate Democrats, that addressed many of the problems in depth.

Failure was complete when Republican lawmakers in the Iowa House chose to kill a bill that would have allowed nursing home residents or their families to place cameras in their rooms to document the quality of care provided.

Iowa Capital Dispatch, 03/23/2024

After Bankruptcy Petersen Will Sell a Chunk to a Bunch

Long-term care operator Petersen Health Care said it is likely to sell off blocks of its facilities to multiple buyers as part of its efforts to restructure and pay its debts after filing for Chapter 11 bankruptcy.

The plan was confirmed in statements by Petersen's lawyer to the US Bankruptcy Court.

Petersen currently operates nearly 100 senior care facilities in the rural Midwest but is nearly \$300 million in debt.

That includes tens of millions of dollars owed in loans that resulted in eight Petersen-run facilities in Illinois being placed in receivership.

McKnight's, 03/26/2024

Three Close in Maine This Year, 25 in a Decade

Heritage Rehabilitation and Living Center in Winthrop is one of three nursing homes in 2024 announcing their pending closure.

"I have great concerns about the nursing homes as the population ages that there won't be enough nursing homes for our aging population," said Ben Hawkins, the director of the Maine Health Care Association.

In the last 10 years, 25 nursing homes or long-term care facilities have closed.

The Maine Health Care Association unveiled the "Who Will Care" coalition at the state house. The coalition is urging lawmakers to fill an estimated \$100 million funding (state and federal) shortfall.

WMYW-TV, 03/21/2024

Rhode Island SNF to Cut Over Half Its Beds

Faced with steep Medicaid reimbursement shortfalls, one 90-year-old facility believes its only way forward is to cut back more than half of its available long-term care beds.

Leaders of Scandinavian Communities in Cranston, RI told residents' families last week.

They described "significant operating losses" and ongoing financial woes that would make continuing to operate the facility "unsustainable."

Of the facility's 74 beds 40 will be eliminated. The planned cuts are taking place over a 30- to 45-day period, effective March 12.

LeadingAge Rhode Island said the gap between Medicaid reimbursement and cost of care is about \$70 PPD.

McKnight's, 03/19/2024

New Rule Streamlining Medicaid Enrollment & Renewals

CMS has issued a new final rule that helps seniors better navigate the Medicaid enrollment process.

Key changes for seniors include increasing the amount of time beneficiaries have to provide states with information, prohibiting states from requiring renewals more than once a year and eliminating the requirement of in-person renewal interviews for older and disabled adults.

Hundreds of thousands of Medicaid beneficiaries lost coverage following the COVID-19 pandemic during the "unwinding" process — many due to procedural reasons rather than ineligibility.

McKnight's, 03/28/2024

Two Charged with Drug Pilfering & They're Sisters

Two sisters have been charged with the theft of prescription drugs last year from a SNF in Shrewsbury, NJ.

Prosecutors say the theft took place Oct. 31 at Complete Care where Deborah Baskerville was using Shonte Hall's identity and nursing license to work an agency shift.

During that shift, Baskerville allegedly took 10 oxycodone pills valued from a locked medicine cart and replaced them with allergy pills.

The investigation has since determined that Baskerville may have been engaged in similar conduct at other medical facilities across the state last year.

The Press of Atlantic City, 03/27/2024

Briefly IN THE NEWS

Nebraska hospitals may be able to breathe a sigh of relief soon, thanks to passage of legislation that could bring in more than \$1.4 billion of federal money to boost payment rates. Under the bill, hospitals would pay an assessment of up to 6% of net patient revenue. Money collected from the assessment would be used as the state match to get more federal Medicaid dollars (*Omaha World-Herald*).

Psychotherapy, or "talk therapy," may be better at treating depression compared to other methods in older adults residing in long-term care communities and may do more good than other approaches to boost psychological well-being and quality of life. The data came from a review of 19 studies (*Cochrane Database of Systematic Reviews*).

Medicare will provide coverage for *Wegovy* for patients with an increased risk of heart attack, stroke or other serious cardiovascular problems. The decision could grant millions of patients access to the popular yet expensive weight loss medication. (*NBC News*).

Danish research pharmacologists followed 1,189 Danish male athletes who were caught using anabolic steroids compared to 59,450 matched controls, i.e. regular people who didn't use steroids. Anabolic steroid users were over 2.8 times more likely to die (all causes) over the following 18 years, compared to matched controls. Among steroid users, one in 36 died during the study window; among controls only one in 103 died during that period (*Inside Medicine*).

THE WORLD: A roadmap written by international scientists describes how conserving natural areas and supporting biodiversity can prevent pathogens with pandemic potential from spilling over from animals to other species and people. The plan, published in *Nature Communications*, uses case studies on Hendra virus spillover from bats to horses and people to detail the link between environmental/climate change and zoonotic spillover (*CIDRAP*).