



LONG-TERM CARE FACILITY ADVISORY BOARD

Regular Meeting

April 10, 2019 at 1:30 in Room 1102

Oklahoma State Department of Health, 1000 NE 10th Street, Oklahoma City, OK 73117-1299

MINUTES

April 10, 2019

1) Call to Order

Alan Mason, Chair, called the meeting to order at 1:31 p.m.

Introduction of new members: Lori Peck Morton

2) Roll Call

Natalie Smith called roll with the following Long Term Care Facility Advisory Board (LTCFAB) members present: Joanne Alderman; Stephen Ross; Tracy Chlouber; Lori Morton, Dustin Cox; Modina Allen; Esther Houser; Patricia Ingram; Adam Jordan; Joanna Martin; Alan Mason; Mr. McWhirter; Kay Parsons; Charles Schwartz; Wendell Short; Diana Sturdevant; William Whited; and Denise Wilson.

The following LTCFAB members were absent: Paula Porter; Jonathan Bushman; Steve Blunk; Donald Courtney; Jacki Millspaugh; and Dewey Sherbon.

The following guests were present: Rocky McElvany, OSDH; Michael Cook, OSDH; Mr. Joslin, OSDH; Debbie Zamarripa, OSDH; Vicki Kirtley, OSDH; Diane Henry, OSDH; Bob Bischoff, OSDH; Mary Brinkley, Leading Age OK; Melissa Holland, OKALA; Randel Lee; ALZ, ASSN; Denise Hawkins, Caregiver; Tom Langdon; Luvetta Abdullah, OSDH; Angela Miller, Galt Foundation; Alexandria Hart-Smith, OSDH; Beverly Clark, OSDH; Natalie Smith, OSDH; and LaShawn Lewis, OSDH.

Currently, there are three vacancies on the LTCFAB, which consists of 27 members.

A quorum was met with 18 members present.

Meetings are posted at:

<http://www.health.ok.gov/calendar/mtngs/index.html>

<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>

Approved minutes are posted at <http://www.health.ok.gov/calendar/mtngs/ltcab.html>

3) Review and Action to Approve/Amend April 10, 2019 Regular Meeting Minutes:

**Agenda Item #3
Vote 1**

Motion: Approval of the April 10, 2019 Regular Meeting Minutes

Motion Made by: Dustin Cox Seconded: Denise Wilson Motion Carried: Yes
Aye: 16 Abstain: 1 Nay: 0 Absent: 7

Aye: 16 Abstain: 1 Nay: 0 Absent: 7

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Mr. Mc Whirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millsbaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Tracy Chlouber	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Donald Courtney	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Patricia Ingram	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Steve Blunk	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
			Shading = Absent

4) Nurse aides, CAN, CMA, ACMA's:

Mr. Mc Whirter, had a discussion on No Call No Shows accountability. As an owner/administrator of an Assisted Living (AL) Mr. Mc Whirter noticed one of our biggest challenges are with Nurse aides is no call no shows, This is more prevalent in nurse aides that do med-pass, there is a two hour window where we are challenged to administrate the medications. When that doesn't happen in that window you cannot give that med and would have to speak with the physician, get a physician's report which has to be an adjustment. This issues causes problems, discomfort and pain in many cases for the residents. Mr. McWhirter also shared that he started three years ago and found Assisted Living (AL) scattered around the state that would have as many in one year as 85 no call no shows. Considering the fact there are 52 weeks in a year that how many times those communities were challenged to make up that time. A recommendation was made to see if Vicky Kirtley could flag those who are no call no shows. The concern with this, is when placing something on someone's record it would have to follow due process in order to be fair to the individual.

Mr. McWhirter also presented Medication Administration Technicians (MAT's). This is a two day training and we're turning someone loose on a med cart to pass out narcotics. Mr. Mc Whirter stated in his community they have two or three day training were they are observed by somebody

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who is highly experienced. Mr. Mc Whirter also stated that in the last two or three years there has been some great improvement with the computer system which makes it easier because you're not filling out paperwork, just one click on the computer put the pill in the cup and that lets you know those meds are being passed properly. It was mentioned by Mr. Mc Whirter Moore-Noman Career Tech Center has been a stickler the last two years for the Medical Administration Technicians (MAT's) when they do their updates if it's not done in the same month they got their certification in they will have to take the class over again. It is recommended by Mr. Cook to put together a Quality Assurance process to address this situation after the current legislative session; making note that this was completed on the 675 looking into the definition of head injuries, and complaints on the mediums and low levels. At that time we can talk about no shows Medication Administration Technicians (MAT's), Acuity levels and other things that are going on in Assisted Living (AL). This group would allow individuals to express their ideas and concerns on the issues at hand giving a better understanding on what work can be done as well as formulate a plan to complete this task. The recommendation to begin this process in June would allow us to inform OSDH senior leadership there is an intent to present and possible make recommendations through the committee; allowing time to have hearings late October or early November.

5) Licensure, residents Assessment, Nurse Aide Registry, and Background Check Update:

Mr. Joslin, Assistant Deputy Commissioner of Protective Health Services and Director of Health Resources Development Services (HRDS) gave a brief orientation on updates on program activity and new developments. Mr. Joslin is responsible for licensing the Nursing homes (NH) Assisted Living (AL), Residential Care and Adult Day Care Centers as well as the registry and background screening program, minimal data set work that is done in nursing homes.

Tracking the volume of aids from quarter to quarter, we can see the available workforce is out there. Some of the certificates are duplicates so 68,000, 275 is at the bottom of the first table and quarter 2 does not represent individuals, because an individual such as a medication aid will have multiple endorsements and certifications. The actual count of numbers of individuals you can tie back to the number of Long Term care aids, because the Long Term Care aide certification will also have a medication interpretation potentially. Home health aids may also be long term care aids and home health aides can become a dual. To be a home health aide you have to be a Long Term care aide, because you had to be deemed.

The individual working in this field are roughly at least 40,000.

We can see certifications is consistent and on par. We are now embarking on a new online training that the Care Providers of Oklahoma has engaged with a company that is providing online nurse aide training. We currently approve facilities, Career Techs, we approve private companies to do Nurse Aide training in which there is a curriculum component, classroom component, clinical component. This will allow an individual to work with someone in a lab or facility to develop skills or have their skills observed.

The individual will be able to access the training without having to travel to different locations. The candidate will have access to the training 24/7. Basically you will have consistent curriculum with each facility that are participating with the online training.

As far as the OK Screen program we have tracked how long it takes to process cases. The cases that come through have a disqualifying offense, so we move an expedited consent order if it looks like you're going to eligible, get a letter of reference, so they don't file for a waiver. We avoid that process to issue waivers for those who will be eligible and go through an expedited consent process

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to issue waivers. The cases that are taking longer are those who are good candidates for the waiver. Our composite score card, nothing is flagged as worsen performance in our report and most significantly we continue to see our overall composite score decline. Out of 14 measures, 13 are quality measures is a measurement system established by CMS. The assessment data is based on nursing home residents who are receiving an assessment every quarter on admissions significant change in condition. Mr. Joslin gave an update on number of chapters of rules, we are moving forward, primarily addressing inserting language to refer to patients with Individuals with Intellectual Disabilities or Individuals with Developmental disabilities. Mr. Joslin has indicated it's been approved by the commissioner and has been submitted to the governors and legislature with the exception of one chapter. There were initially 19 chapters being processed through the agency, not all were submitted which was for Nurse Aide. That chapter will get re-submitted next year

6) Reporting of RN Staffing Hours:

Reminder the payroll based journal replaced formal accounting process that centers for Medicare and Medicaid services, put in place for Nursing Facilities. The requirement and reporting of hours is raising questions. What people are seeing is homes reporting either no registered nurse (RN) hours, which a Federal requirement is that Facilities must have an registered nurse (RN) on duty for 8 hours a day 7 days a week. We have identified where the data is, we got access to CMS Published Data file. In the last four quarters the number of days with no RN's change going on with staffing patterns or better data entry. CMS has a report on common errors, each staff member has a unique ID number. You will report the data quarterly and there is a deadline to get this reported, if you don't hit the deadline you may still submit your report but your data is not counted in the data set. This is being reflected in the CMS nursing home comparison star rating system. We are also looking at CMS's enforcement Process in which they implemented an audit process with the company Myers and Stafford to work with the providers. If the facility doesn't respond they get dinged on the nursing home compare website as well. Mr. Joslin will explain more about PBJ-Payroll Based Journal next meeting.

7) Long Term Care Service Update:

Mr. Cook, Director of Long Term Care Services, presented Long Term Care updates on facilities, investigations and what we saw in 2018. There are a number of ways we look at Nursing Homes (NH) and Assisted Living (AL). There are actually four different types, .Nursing Homes for Medicare and Medicaid, Private Pay Nursing homes, VA Centers, we also do Intermediate Care Facilities, Residential care Facilities as well as Adult Day Care and Assisted Living Centers. When you look at the last five years Medicare/Medicaid has gone down considerably prior to February 2014. We have dropped seven nursing homes in the last five years, 28 Residential Care Facilities, Assisted Living Centers have gone up 23. The population has stayed relatively the same as far as the total types of Long Term Care Facilities. Looking at the long Term Care Inspections by facility type Nursing homes that are Medicaid/Medicare we saw a reduction from 2014 of 2800 down to 2279. We had a drastic reduction in the number of investigations which includes revisits, initials, recertifications and complaints. With only a change of eight homes, we're seeing a change of 758 investigations over a five year period. Now look at the long Term Care Inspections by Survey type, Recertification's are your annual survey once a year. Initials are (CHOWs) this is when you take on a brand new facility. Complaints are not generated by the Department of Health these complaints come from everybody. If you have a decline in complaints you will have a decline in revisits. If you take a look at the Long

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term Care Inspections Frequency Mandates, there are 27 from Long Term Care (LTC) we look at the measure to see if we're meeting mandates. In 2014 we missed 101 mandates and in 2018 we missed 14 mandates. Mr. Cook also talked about Long Term Care Challenges in the department. In the last two years we spent modifying rules and regulations from Appendix PP to the addition of Emergency Preparedness. The third part of Appendix PP will go into effect in November.

8) New Business:

No new business

9) Public Comment:

Public comment made throughout the meeting.

10) Adjournment

The meeting adjourned at 3:27 p.m.

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