

**PENNSYLVANIA
DEPARTMENT OF AGING**

LONG-TERM CARE COUNCIL

EST. 2015

Meeting Minutes

Meeting:	Pennsylvania Long-Term Care Council
Date:	Thursday, June 4, 2020
Start & End Time:	10:00 a.m. to 11:46 a.m.
Location/Format:	WebEx Meeting w/ Dial-In Option

Council Members in Attendance

Insurance Cmmr. Jessica Altman (Designee: Emily Holladay)*	Anne Henry - <i>Nonprofit SNFs</i>	Kenneth Potter, Esq. - <i>PA Bar Association, Elder Law Section</i>
Eric Beittell - <i>LTC Insurance</i>	Lydia Hernandez-Velez - <i>Consumer Advocacy</i>	Nicole Pruitt - <i>Adult Day Centers</i>
Sen. Michele Brooks (Designee: Janelle Lynch)*	Nancy Hodgson, PhD - <i>Academic Research</i>	Mike Sokoloski - <i>Homecare</i>
Janice Cameron - <i>PA Council on Aging</i>	Samella Hudson-Brewton - <i>Senior Community Centers</i>	Sec. of Aging Robert Torres <i>Council Chair</i>
Brig. Gen. Anthony Carrelli (Designee: Andrew Ruscavage)*	Sec. of Health Dr. Rachel Levine (Designee: Lori Gutierrez)*	Kimberly VanHaitsma, PhD - <i>Academic Research</i>
Sen. Maria Collett (Designee: Tom Holroyd)*	Robert Marino - <i>Caregiver</i>	Lon Wible - <i>Area Agencies on Aging</i>
Rep. Pam DeLissio	Joyce McClary - <i>LTSS Nurse</i>	Robin Wiessmann (Designee: Gelene Nason)*
Shona Eakin - <i>LTSS Consumer</i>	Sec. of Human Svcs. Teresa Miller (Designee: Jennifer Hale)*	Margie Zelenak - <i>Assisted Living Residences & Personal Care Homes</i>
Sec. of Transp. Yassmin Gramian (Designee: Danielle Spila)*	Shane Nugent - <i>For-Profit SNFs</i>	Heshie Zinman - <i>Consumer Advocacy</i>
Mark Gusek - <i>LTC Managed Care</i>	Teresa Osborne - <i>Consumer Advocacy</i>	Matt Yarnell - <i>Consumer Advocacy</i>
George Hartwick III - <i>County Commissioners Assoc. of PA</i>	Vini Portzline - <i>LTSS Consumer</i>	

*Attended on member's behalf

Council Members Not in Attendance

Rep. Gary Day (Designee Shannon Walker)	David Nace, MD - <i>LTSS Physician</i>
Diane Menio - <i>Caregiver</i>	

PDA Staff in Attendance

Stephanie Cole, Executive Assistant	Denise Getgen, Director of Protective Services
Maria Dispenziere, Deputy Legislative Director	Carolyn Green, Legislative Director
Glenda Ebersole, Policy Director	Robert Heinlen, Finance Bureau Director
Jack Eilber, Deputy Communications Director	Kevin Longenecker, Aging Svcs. Bureau Supervisor
Faith Haeussler, PA Council on Aging Exec. Director	Chuck Quinnan, Council Executive Director
Karen Gray, Communication Director	Barbara Valaw, Quality Assurance Bureau Director

Committee Members & Guests in Attendance*

Commandant Richard Adams, PA Department of Military & Veterans Affairs (DMVA)	David Golin, PA Department of Human Services (DHS)
Pam Auer, Center for Independent Living of Central PA	Wilmarie Gonzalez, DHS

Carl Berry, PA Providers Coalition Association WC	Maria Maletta Hastie, LIFE Geisinger OC
Jeff Blume, PA Department of Labor & Industry WC	Isabel Marsico, Penn State University Intern
Sandra Curlee, Long Term Care Insur. Specialist AC	Dawn Murr-Davidson, Juniper Communities
Art DiLoreto, PA Association of Area Agencies on Aging (P4A) WC	Laura Ness, Bayada Home Health Care WC
Katie Dotto, PA Homecare Association	Commandant Peter Ojeda, DMVA
Jennifer Ebersole, Alzheimer's Association	Lisa Robinson, My Independence at HOME WC
Christine Filipovich, PA Department of Health	Linda Walker, Central Susquehanna Intermediate Unit AC
Erika Fricke, PA House of Representatives	Lou Wolkenstein, The Investment Advisor QC
Kathy Gillespie, Clearfield County Area Agency on Aging QC	

OC = Outreach Committee; AC = Access Committee; QC = Quality Committee; WC = Workforce Committee

*Only the attendance of guests who logged into the meeting via the WebEx platform was able to be captured.

Meeting Minutes

#	Discussion Items	Summary
1	Welcome	Secretary of Aging Robert Torres opened the meeting by welcoming members and guests and going over the agenda. Secretary Torres also noted that former Secretary of Aging Teresa Osborne was recently appointed by Governor Tom Wolf to serve as a consumer advocate representative on the council. Council Executive Director Chuck Quinnan explained that Ms. Osborne's appointment brings the council back to full complement.
2	Approval of February 13 & April 16, 2020 Meeting Minutes	A motion was made by Margie Zelenak and seconded by Mike Sokoloski, and the February 13 and April 16, 2020 meeting minutes were unanimously approved.
3	Commonwealth Updates	<p><u>PA Department of Aging (PDA)</u> – Secretary Torres provided the following updates:</p> <p><u>State Budget</u></p> <ul style="list-style-type: none"> • The commonwealth's Fiscal Year (FY) 2020-2021 State Budget was approved on May 29 and funds the Department of Aging for a full year at FY 2019-2020 levels, which includes \$464 million in Lottery Funds and a \$104 million in federal allocations. <ul style="list-style-type: none"> ○ The adopted budget does not include Governor Wolf's proposal for an additional \$8.1 million to reduce the OPTIONS waiting list. ○ The federal money that we received through the <i>Families First Coronavirus Response Act</i> and <i>Coronavirus Relief and Economic Security (CARES) Act</i> is supplemental to the allocations that were adopted by the General Assembly and signed by the Governor. <p><u>COVID-19 Guidance</u></p> <ul style="list-style-type: none"> • As counties transition to yellow and green, we have been working closely with the Area Agencies on Aging (AAAs) and the Pennsylvania Adult Day Services Association on protocols and procedures to ensure that consumers and staff are as safe as possible as adult day and senior centers reopen and AAAs conduct face-to-face or in-home visits. <ul style="list-style-type: none"> ○ We have developed additional guidance and screening tools to support the reopening process, which were

issued this week, as well as guidance related to aging services for conducting initial assessments, reassessments, etc.

- We recognize that there is a need for continued flexibility throughout the pandemic (e.g., how meals are provided to seniors, etc.)
- The department will also be issuing updated protective services guidance soon.

Efforts to Address Social Isolation

- As mentioned at the last meeting, the department has been doing a lot of work on addressing social isolation.
 - Today, we will be formally announcing our partnership with AARP Pennsylvania to provide communication devices to approximately 50 long-term care facilities in 37 counties to help residents increase contact with family and friends.
 - The pilot is being conducted with the support of the Pennsylvania Association of Area Agencies on Aging.
 - On April 30, the Pennsylvania Council on Aging (PCoA) released the findings of a statewide survey it conducted to assess the status, needs and interests of older adults during the COVID-19 pandemic.
 - PCoA Executive Director Faith Haeussler will be providing an overview of the survey report later in the meeting.
 - The department continues to have conversations with state-related universities interested in working with us to address social isolation through service-learning opportunities, etc.
 - The department also has begun examining data in our case management system to identify different variables to assess whether an older adult is at greater risk of social isolation and corresponding trends.
 - Volunteers that work with our Office of the Long-Term Care Ombudsman have established a Virtual Family Council to connect families with local ombudsmen and other experts.
 - The council, which meets weekly, affords family members the opportunity to ask questions and discuss protocols, rights and procedures, etc. for their loved ones in long-term care facilities.
 - The department received \$34 million in funding from the CARES ACT, which will support services authorized by the *Older Americans Act*, including home-delivered meals, in-home care services, respite care and other support to families and caregivers, as well as information and referral services.
 - We are working with the Area Agencies on Aging to give them their allocation and to plan for the use of that money through the end of this federal fiscal year and into the next federal fiscal year, which is the timeframe that we have to work with for that money.

- Among other things, such as social isolation, the COVID-19 pandemic has also highlighted the growing crisis that this council pointed out regarding Pennsylvania’s direct care workforce in its blueprint report.
 - Over the last two and a half months, these workers risked not only their safety and health, but also that of their families because they continued to provide critical services and supports to our most vulnerable residents during this unprecedented time.
 - I have been involved in discussions with the administration and part of a workgroup, and I want you to know that the Governor recognizes the valuable work that you put forth in the direct care worker blueprint report, and he is committed to working towards comprehensive reform that is needed to support these critical workers.
 - The administration has also been tracking and urging passage of the federal *HEROES Act*, which passed the U.S. House and is currently pending in the U.S. Senate.
 - The *HEROES Act*, which provides additional stimulus money and support for state and local government, would also provide \$200 billion in hazard pay and worker incentives for health care and home care workers.

Secretary Torres noted that he received a pre-submitted question regarding what the department is doing to let people know that Older Adult Protective Services is still available during the pandemic.

Secretary Torres provided the following in response:

- Staff and I have been taking every opportunity to communicate and emphasize to the public that Protective Services (PS) has remained up and running throughout the COVID-19 pandemic and continues to respond to calls.
 - This has been a regular talking point for me when speaking with stakeholders, conducting media interviews and briefings (the most recent of which was on Monday at the Pennsylvania Emergency Management Agency briefing), and participating in public engagements.
 - The Department of Aging also continues to highlight the availability of PS services in its press releases, monthly newsletter and on Facebook.

PA Department of Health (DOH) – DOH Deputy Policy Director Lori Gutierrez provided the following COVID-19 updates on behalf of Deputy Secretary for Quality Assurance Susan Coble:

- As of yesterday, there have been 73,405 positive cases of COVID-19 confirmed in Pennsylvania, with 5,742 deaths statewide.
 - The number of new cases (356) reported on June 1 is the lowest number since March 25.
 - To date, 15,752 positive cases have been confirmed in nursing homes and personal care homes, with 2,719 cases among employees for a total of 18,471 at 611 distinct facilities in 44 counties.

- Out of the total deaths, 3,621 have occurred in residents in nursing or personal care facilities.
- Since the last Long-Term Care Council meeting, DOH released a document entitled [Protecting People in Long-Term Care Facilities in Pennsylvania](#), which details the department's long-term care COVID-19 strategy, including, among other things, implementing universal testing of long-term care residents and staff and transparency.
 - More specific information on testing is available in [PA Health Alert Network Update 509](#) on [DOH's COVID-19 Information for Nursing Homes](#) webpage.
- Yesterday, Secretary Levine announced that Walmart and Quest Diagnostics are opening drive-through testing locations throughout the commonwealth in areas with fewer testing sites.
 - There will be a soft opening of five sites beginning on June 5, 2020.
- The Governor also announced yesterday that DOH reached its testing goals in May with more than 283,000 COVID-19 diagnostic test results reported to the department.
 - The department achieved its 2% testing goal for the month by more than 11%.
- With regards to transparency, the department has increased public reporting on outbreaks, deaths, and testing.
 - Since the previous council meeting, DOH released the number of cases and deaths at the facility level and is providing a weekly wrap-up of guidance released for the week.
 - Mortality data is available on the department's website, and we are also working on the collection of racial, ethnic and LGBTQ information.
 - DOH, the Pennsylvania Emergency Management Agency, and the Department of Human Services jointly released the [Ethical Allocation Framework for Emerging Treatments of COVID-19](#).
- Per Secretary Levine's [May 16, 2020 order](#), long-term care facilities are now required to submit data on a daily basis to further assist the department in determining and employing the most efficient and practical means for preventing and suppressing COVID-19 within skilled nursing facilities and its impact on our most vulnerable populations.
- The Pennsylvania National Guard has been called in to assist with staffing shortages at nursing facilities, and the U.S. Department of Health and Human Services (U.S. DHHS) is also assisting with staffing, as well as site assessments, training and mass testing.
 - Volunteers are also being used as a resource.
- The U.S. DHHS is also assisting with the infection control and consultation and support efforts we have implemented.
- DOH has pushed out close to five million N95 masks to assist long-term care facilities, and we continue to receive more Personal Protective Equipment (PPE) into our inventory.
 - The state has also pushed out the following:
 - More than 295,000 gowns

- Close to 1.7 million procedure masks
- Close to 1.94 million gloves
- More than 180,000 face shields
- More than 18,100 coveralls
- More than 355,000 bottles of hand sanitizer
- As of June 1, DOH has sent 1,800 shipments of PPE to long-term care facilities.
- We are working with several Pennsylvania companies to increase our PPE and ventilator capacity and with industries to see what they have available.
- The department is also receiving Remdesivir (RDV) from the federal government and has distributed RDV to acute care healthcare facilities and will continue to distribute the medication as additional supplies become available.
 - A fourth shipment will go out this week to health care facilities.
- Even as counties go into the green phase, we are asking long-term care facilities to continue following and adhering to the department's existing May 12 guidance until new guidance is created for the green phase.
 - The new guidance is under development and should be available within 28 days.

In response to a pre-submitted question, Ms. Gutierrez explained that some work has been done on finalizing changes to the proposed long-term care nursing facility regulations, but it has been limited as staff has been deeply involved in responding to the COVID-19 pandemic. She noted that DOH will perform an after-action review after returning to "regular operations" to determine what changes may be needed based on lessons learned from the pandemic, etc. and will keep stakeholders informed as they move forward.

Department of Human Services (DHS) – Jennifer Hale, Director of the Bureau of Policy and Regulatory Management for DHS' Office of Long-Term Living (OLTL), and Wilmarie González, Director of OLTL's Bureau of Quality Assurance & Program Analytics, provided departmental updates and an overview of the Educational Support and Clinical Coaching Program (ESCCP), respectively.

Ms. Hale provided the following updates:

- DHS has been working on guidance as it relates to the Governor's three-phased reopening approach and service delivery for both home and community-based services as well as the department's oversight of personal care homes and assisted living residences.
- The Governor and the General Assembly allocated \$632 million in *Coronavirus Relief and Economic Security (CARES) Act* funding for long-term living programs (e.g., nursing facilities, assisted living and personal care homes, personal assistance services, etc.) as part of House Bill 2510 (Act 24 of 2020).
 - DHS is working on a plan to get the payments out to providers as quickly as possible with a July 1 target date.
- The department is continuing to prepare the Community HealthChoices 1915(c) Waiver Amendment, and it should be

ready for submittal in the Pennsylvania Bulletin for official public comment in the near future.

- The delay in submitting the amendment has been due to the COVID-19 pandemic.
- The recently enacted State Budget Fiscal Year 2020-2021 provides level funding for OLTL over a five-month period.

More information related to DHS guidance and the CARES Act funding for long-term living programs can be found in Ms. Hale's [PowerPoint presentation](#) on pages 3-8.

Ms. Gonzalez's provided a [PowerPoint presentation](#) (see pages 9-19) on the ESCCP Program, which was initially created by DHS to provide COVID-19-related trainings and technical assistance to personal care homes and assisted living residences, but has since expanded to include skilled nursing facilities and additional partners and collaborations. In addition to discussing the design of the program, the overview covered the following areas:

- The need for the program
- ESCCP partners
- ESCCP provided services and supports
- Operations and impact
- Best practices
- Other supports
- Feedback on additional needs/areas of importance
- Recommendations

PA Department of Military & Veterans Affairs (DMVA) – Andrew Ruscavage, Director of the DMVA's Bureau of Veterans Homes (BVH), provided the following COVID-19 updates on the status of the six state veterans homes:

- Across the veterans homes system, 75 residents have tested positive for COVID-19 to date, and 14 staff members currently have the virus.
- BVH has continued to look for PPE sources from the beginning of the pandemic to outfit and supply our facilities appropriately for their infection control efforts.
- Our PPE has come from a variety of sources, including the county, state (e.g., the Pennsylvania Emergency Management Agency), and federal levels (e.g., the Federal Emergency Management Agency and the federal Veterans Administration (VA)), and procuring this equipment remains a daily issue.
- Long-term care facilities are required to report COVID-19-related data daily, weekly, and monthly.
 - Reports are required to be submitted to county health departments, the Pennsylvania Department of Health (DOH), the Centers for Disease Control and Prevention's National Healthcare Safety Network, the U.S. Department of Veterans Affairs, etc., as well as internally.
- The BVH has established individual testing plans for its facilities based on DOH guidance.

- The testing plans vary from facility to facility due to the availability of testing supplies and laboratory services to run the tests.
- The BVH encountered regional issues in obtaining testing materials, and the VA provided assistance with our resident testing efforts.
- Availability is not the only issue with testing as turnaround times from laboratories severely limit the effectiveness of testing asymptomatic residents and staff.
- The BVH currently has completed initial baseline testing of all residents in our six facilities, with staff baseline testing to be completed by June 12.
- Any positive cases have resulted in very specific infection control actions and cohorting of residents.

Department of Transportation (PennDOT) – Danielle Spila, Director of PennDOT’s Bureau of Public Transportation, provided the following updates:

- From a public transportation perspective, transit systems are slowly starting to resume services on the fixed route side.
 - PPE for drivers and passengers remains an utmost concern and priority as well as social distancing.
 - Ridership remains down, and many drivers are out of work either due to childcare reasons or because they or a family member are sick, which is posing a problem as systems begin to expand capacity.
 - Several systems are resuming fare collection and using electronic fare collection and encouraging riders to purchase passes ahead of time to avoid having to exchange cash with drivers.
- On the Shared Ride side, most systems are still only providing service for essential trips.

PA Insurance Department (PID) – PID Deputy Legislative Director Emily Holladay provided the following COVID-19-related updates:

- PID issued [Notice 2020-14](#) to our licensees as counties move to the yellow phase.
 - This notice recommends that teleworking and remote operations must continue when possible.
 - If not feasible, licensees are permitted to resume in-person operations and in-person sales, and they must adhere to the building safety and business safety orders issued by the Governor.
 - Unsolicited in-person sale visits are still prohibited if operating in a red or yellow county.
- The department also issued [filing guidance](#) to insurance carriers who are trying to implement a premium payback program or a dividend plan to redistribute money back to policyholders due to a period of lower risk.
 - We have had approximately a dozen carriers, particularly in the auto insurance area and some more recently who provide dental plans, who have filed these payback programs.

		<ul style="list-style-type: none"> ○ Consumers who are interested in finding out if their insurance company has filed a payback program can contact PID at 1-877-881-6388. <p><u>Question and Answer (Q&A) Period</u></p> <p>Secretary Torres clarified that the communication devices that are part of the pilot project with AARP Pennsylvania were primarily distributed to nursing homes along with some personal care homes. He noted that the devices were provided to facilities where staff or resident advocates known as Pennsylvania Empowered Expert Residents (PEERs) had expressed a need for phones/tablets and made a commitment to support the appropriate use of the devices.</p> <p>Council member Anne Henry requested that the council join LeadingAge PA and other long-term care organizations in urging the commonwealth to grandfather individuals who were hired as nurse aides during the COVID-19 pandemic and completed abbreviated training, etc. In response, Secretary Torres requested that Council Executive Director Chuck Quinnan follow up with the council in writing regarding the details of this issue (e.g., the state’s authority to grant the request, etc.) prior to determining if council action is warranted.</p> <p>Rep. Pam DeLissio noted that she had several questions but would submit them in writing to Mr. Quinnan in the interest of time.</p>
4	<p>Pennsylvania Council on Aging COVID-19 Statewide Survey</p>	<p>Faith Haeussler, Executive Director of the Pennsylvania Council on Aging (PCoA), provided a PowerPoint presentation on the findings from the PCoA’s statewide survey of older adults during the COVID-19 pandemic. Ms. Haeussler explained that the survey, which was conducted in both English and Spanish, had more than 3,700 respondents, which reflected Pennsylvania’s population of older adults. During her presentation, she focused on the primary reasons that respondents reported leaving the house during the pandemic and the frequency, how they are accessing food, what technologies they use to stay connected, etc. The survey results were broken down by the different age groups of older adults, including “youngest” older adult (60-70 years of age), “older adults” (71-80 years of age), and “oldest” older adults (81 years of age and older). The full report, including recommendations, can be viewed by clicking here.</p> <p>A question was asked whether the technology-related survey results pointed to the lack of broadband/internet access in certain parts of the state. Ms. Haeussler responded that while the survey did not drill down into the specific hurdles that respondents faced in utilizing and accessing technology, it did show that only about 8% of “oldest” older adults had access to e-mail. She also noted that the PCoA sent a letter of support to the Pennsylvania General Assembly on the Governor’s Restore PA initiative and reiterated the questioner’s point regarding the importance of affordability in ensuring older adults can access technology.</p>
5	<p>State Plan on Aging</p>	<p>Stephanie Cole, Director of Special Projects and Executive Assistant to Secretary Torres, provided a PowerPoint presentation on the Department of Aging’s upcoming 2020-2024 State Plan on Aging. Ms. Cole explained that the state plan, which is required under the federal</p>

		<p><i>Older Americans Act</i>, guides the work of the department in serving the needs of older Pennsylvanians. In addition to explaining how council members and the public can provide input and feedback on the state plan (e.g., community/stakeholder survey and virtual community conversation), the presentation covered the following areas:</p> <ul style="list-style-type: none"> • State plan contents and organization • The state plan development process • State Plan 2020-2024 goals and objectives <p>Secretary Torres emphasized that the state plan is not a static document. He noted that once the plan is implemented on October 1, 2020, the department will be reviewing and monitoring it on a regular basis to gauge progress (e.g., comparing metrics) and areas where adjustments may be needed due to changing circumstances.</p> <p>In response to a question on broadband/internet access, Ms. Cole noted that the state plan survey includes a question gauging whether people feel access to telehealth/virtual services (e.g., virtual doctor's visit, remote home monitoring, virtual senior centers, etc.) is critical to age friendly communities.</p>
6	Open Session	There were no public comments during the open session portion of the meeting.
7	Adjournment	The meeting was adjourned at 11:46 a.m.

New Action Items

#	Action Item	Actionee(s)	Deadline	Status
1	Provide background information on the state's authority, to grandfather individuals who were hired as nurse aides during the COVID-19 pandemic and completed abbreviated training, etc.	Chuck Quinnan	ASAP	Completed
2	Submitted questions from Rep. DeLissio	Chuck Quinnan & Relevant Agency Designees	Two weeks upon receiving questions	Awaiting questions