

**PENNSYLVANIA
DEPARTMENT OF AGING**

LONG-TERM CARE COUNCIL

EST. 2015

Meeting Minutes

Meeting:	Pennsylvania Long-Term Care Council
Date:	Thursday, October 8th, 2020
Start & End Time:	10:00 a.m. to 11:56 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>
Janice Cameron - <i>PA Council on Aging</i>	Nancy Hodgson, PhD - <i>Academic Research</i>	Mike Sokoloski - <i>Homecare</i>
Brig. Gen. Anthony Carrelli (Designee: Andrew Ruscavage)*	Sec. of Health Dr. Rachel Levine (Designee: Lori Gutierrez)*	Sec. of Aging Robert Torres <i>Council Chair</i>
Sen. Maria Collett Designee Tom Holroyd also attended	Joyce McClary - <i>LTSS Nurse</i>	PA Housing Finance Agency Executive Director/CEO Robin Wiessmann (Designee: Gelene Nason)*
Rep. Gary Day Designee Shannon Walker also attended	Sec. of Human Svcs. Teresa Miller (Designee: Jennifer Hale)*	Margie Zelenak - <i>Assisted Living Residences & Personal Care Homes</i>
Rep. Pam DeLissio Designee Charles Miller also attended	David Nace, MD - <i>LTSS Physician</i>	
Shona Eakin - <i>LTSS Consumer</i>	Teresa Osborne - <i>Consumer Advocacy</i>	Matt Yarnell - <i>Consumer Advocacy</i>
Kimberly VanHaitsma, PhD - <i>Academic Research</i>	Vini Portzline - <i>LTSS Consumer</i>	Diane Menio - <i>Caregiver</i>
George Hartwick III - <i>County Commissioners Assoc. of PA</i>		Shane Nugent - <i>For-Profit SNFs</i>

*Attended on member's behalf

Council Members Not in Attendance

Sec. of Transp. Yassmin Gramian (Designee: Danielle Spila)	Mark Gusek - <i>LTC Managed Care</i>
Heshie Zinman - <i>Consumer Advocacy</i>	Sen. Michele Brooks (Designee: Ryan Dellinger)*
Samella Hudson-Brewton - <i>Senior Community Centers</i>	Robert Marino - <i>Caregiver</i>
Lon Wible - <i>Area Agencies on Aging</i>	

PDA Staff in Attendance


Maria Dispenziere, Deputy Legislative Director	Carolyn Green, Legislative Director
Jack Eilber, Deputy Communications Director	Faith Haeussler, PA Council on Aging Exec. Director

Committee Members & Guests in Attendance*


Carl Berry, PA Providers Coalition Association WC	Kaori Kelly, At-Home Quality Care
Joan Bradbury, PA Senate	Keara Klinepeter, DOH

Katie Dotto, PA Homecare Association (PHA)	Colleen Kopp, Wojack
Jennifer Ebersole, Alzheimer's Association	Rebecca May-Cole, P4A OC
Christine Filipovich, DOH	Kate Routledge
Erika Fricke, PA House	Missy Shupe, Long-term care nurse WC
Kathy Gillespie, Clearfield County Area Agency on Aging QC	Linda Walker, Central Susquehanna Intermediate Unit AC
Wilmarie Gonzalez, DHS	Linda Walker, Central Susquehanna Intermediate Unit AC
Jeff Iseman, PA Statewide Independent Living Council (PA SILC)	Anne Yanikov, PA Health and Wellness
Dr. Douglas Jacobs, DHS	
<p>OC = Outreach Committee; AC = Access Committee; QC = Quality Committee; WC = Workforce Committee</p> <p>*Only the attendance of guests who logged into the meeting via the WebEx platform was able to be captured unless the individual indicated otherwise.</p>	

Meeting Minutes

#	Discussion Items	Summary
1	Welcome	
2	Approval of August 20, 2020 Meeting Minutes	A motion to approve was made by Mathew Yarnell and seconded by Dr. David Nace. The minutes of August 20, 2020 meeting were unanimously approved.
3	Governor's Whole Person Health Reform	<p>Dr. Douglas Jacobs, Chief Innovation Officer, Department of Human Services, Office of the Secretary reviewed the following presentation:</p> <p> Whole Person Health Reform.pdf</p> <p>As proposed, the Health Value Commission would not have the authority to stop a merger, but the public interest review could be used for reference by the Attorney General to help evaluate a merger. It would add significant transparency to identify what is actually happening.</p> <p>Q: Many years ago, there was something called a certificate of need, and that was a mechanism whereby many different providers would need to get permission for expansion, capital improvements, etc. Does this extend itself to things like that?</p> <p>Dr. Jacobs: This is different than a certificate of need program. If a hospital wanted to expand a campus, this wouldn't cover it. It would cover mergers, acquisitions, corporate affiliations, and changes in ownership.</p> <p>Q: Is the concept of community health worker (CHW) incorporated in here? I know that's a very specific detail, but I'm asking because CHW are instrumental to helping particularly with social determinants of health, and those everyday challenges that impact healthcare. CHW are not a very well-established segment on the healthcare team.</p>

		<p>Dr. Jacobs: I agree, and I think that in this current construct they are really part of the whole person approach.</p> <p>Q: To the mergers, acquisitions, and change of ownerships, it's only referenced in terms of hospitals; is there any opportunity or interest to also include nursing homes within that change in ownership piece in particular?</p> <p>Dr. Jacobs: Absolutely, yes. The language I was trying to use was "large provider", and that would be determined by the number of lives the facility touches; LTC facilities, like large multifacility or a single large skilled nursing facility, might fall under that.</p> <p>Comments: Appreciate the Governor's leadership; Our lived experienced as a healthcare union in consolidation has been extremely challenging for both patients and the workforce as we have seen time and time again; I think it's going to be important for the general public to understand what consolidation means; every time we go through a consolidation, more and more power gets stripped away from workers.</p>
4	<p>Commonwealth Updates</p>	<p><u>PA Department of Aging (PDA)</u> - Secretary Torres reported on the following:</p> <ul style="list-style-type: none"> • PDA released findings of its Financial Exploitation Study. • New 4-year State Plan on Aging has been conditionally approved and published on PDA website. • PDA is working on the Intrastate Funding Formula in response to federal request made as a condition of approval of new State Plan on Aging. • Discussed state university partnerships and status of pilot program with Slippery Rock University that is engaging students and over 100 seniors that agreed to participate in Mercer and Butler counties. • Provided update on Area Agencies on Aging joining Health Information Exchanges to receive medical information and share care plan information on older adults. • Informed Council that PA Supreme Court Advisory Council on Elder Justice in the Courts released first judicial publication on guardianship called the PA Guardianship Bench Book. <p><u>PA Department of Human Services (DHS)</u> – Jennifer Hale, Director of the Bureau of Policy and Regulatory Management for DHS' Office of Long-Term Living (OLTL), provided departmental updates on COVID-19, Regional Response Health Collaboration Program (RRHCP). This is program that legislature supported with \$175 million appropriation.</p> <p>Question was asked on how LTCC could receive an accounting of how those dollars have been spent. Jen Hale offered to take that question back to DHS Director of Quality, who oversees this program, to obtain the information.</p>

	<p>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:</p> <ul style="list-style-type: none"> • In the 6 DMVA veteran’s homes, there were no residents that are positive for COVID-19. • Only One staff member has had a positive COVID-19 diagnosis. • Rigorous testing has been occurring. • DMVA is working with DOH and one of their contracted vendors for laboratory services to establish COVID-19 testing for the VA homes • Have been expanding visitation to include drive-by, window visits, virtual visitation • Glad to see updated visitation guidance is forthcoming <p>PA Insurance Department (PID) – PID Deputy Legislative Director Emily Holladay provided the following update:</p> <ul style="list-style-type: none"> • Emily reviewed the statewide Health Insurance Marketplace called PENNIE. Enrollment is open from November 1, 2020 until January 15, 2021.
<p>Pa Department of Aging Financial Exploitation Study Presentation</p>	<p>Maria Dispenziere, Deputy Director, Policy and Legislative Affairs, Pa Department of Aging reviewed the findings of the Department’s Financial Exploitation Study.</p>  <p>LTCC FES PPT OVERVIEW.pptx</p> <p>Q: Why do you have only urban and rural victims in the study, and not suburban cases? M. Dispenziere: The data PDA collects only divides counties into rural or urban categories.</p> <p>Q: Can you give examples of nursing facility fees? M. Dispenziere: This is included in the FES data to account for, essentially, nursing facility “overdraft” fees, or the types of fees that would be incurred if a withdrawal attempt has been made, but the withdrawal is unsuccessful for a lack of funds. Perpetrators, in this case, drew the funds in the accounts of the victims to such a low amount that their nursing facilities could not withdraw payment for those individuals, resulting in additional fees being applied to the victim’s accounts.</p> <p>Q: If MA enrollment occurs after a financial exploitation case, is there a requirement in Medicaid for nursing facilities to review a five-year look back period? M. Dispenziere: Medicaid (in Pennsylvania) requires that <u>all</u> asset transfers within the previous 5 years of application for Medicaid are reviewed. From the American Council on Aging: “Medicaid’s look-back period is meant to prevent Medicaid applicants from giving away assets</p>

		<p>or selling them under fair market value in an attempt to meet Medicaid's asset limit."</p> <p>Q: Who's on your task force? M. Dispenziere: While members of the task force are being finalized, PDA will invite representatives from state agencies, and stakeholders from the law enforcement, financial, medical, and older adult advocacy sectors including P4A and select Area Agencies on Aging.</p>
6	Open Session	There were no public comments during the open session portion of the meeting.
7	Adjournment	The meeting was adjourned at 11:50 a.m.

New Action Items

#	Action Item	Actionee(s)	Deadline	Status
1	Send council and committee members presentations.	Secretary Torres		Completed

Old Action Items

#	Action Item	Actionee(s)	Deadline	Status
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