

# Meeting Minutes

Meeting: Pennsylvania Long-Term Care Council

Date: August 12, 2021

Start & End Time: 10:00 a.m. to 11:22 a.m.

Location/Format: WebEx Meeting w/ Dial-In Option

## Council Members in Attendance

Sec. of Aging Robert Torres Council Chair

Insurance Cmmr. Jessica Altman (Designee: Emily Holladay) \*

Kenneth Potter, Esq. - PA Bar Association, Elder Law Section

Lou Wolkenstein Vini Portzline - LTSS Consumer

Lon Wible- Area Agencies on Aging

 Teresa Osborne - Consumer Advocacy

Janice Cameron - PA Council on Aging

 Joel Mutschler, DMVA

Diane Menio - Caregiver

David Nace, MD - LTSS Physician

Matt Yarnell - Consumer Advocacy (Designee: Zach Zobrirst)

Acting Sec. of Human Services, Meg Snead (Designee: Jennifer Hale) \*

Susan Coble, Deputy Secretary for Quality Assurance (Designee: Megan Barbour, Senior Advisor to the Secretary of Health)

Rep. Steve Samuelson (Designee Charles Miller) \*

Acting Sec. of Health Allison Beam (Designee: Lori Gutierrez) \*

Margie Zelenak - Assisted Living Residences & Personal Care Homes

Rep. Gary Day (Designee: Shannon Walker Executive Director, PA House of Representatives) \*

Anne Henry - Nonprofit SNFs

Nicole Pruitt - Adult Day Centers

Joan Bradbury

Robert Marino - Caregiver

Kimberly VanHaitsma, PhD - Academic Research

Heshie Zinman

\*Attended on member’s behalf

## Council Members Not in Attendance

Sen. Michele Brooks (Designee: Ryan Dellinger) \*

PA Housing Finance Agency Executive Director/CEO Robin Wiessmann (Designee: Gelene Nason) \*

Shona Eakin - LTSS Consumer

George Hartwick III – County Commissioners Assoc. of PA

Mark Gusek - LTC Managed Care

Brig. Gen. Anthony Carrelli (Designee: Andrew Ruscavage) \*

Sen. Maria Collett (Designee: Tom Holroyd) \*

Sec. of Transp. Yassmin Gramian (Designee: Danielle Spila)

Mike Sokoloski - Homecare

Lydia Hernandez-Velez - Consumer Advocacy

## PDA Staff in Attendance

Faith Haeussler, PA Council on Aging Exec. Director

Tom Snedden, PACE Director

Steven Horner, Deputy Secretary

Margaret Barajas

Stephanie Cole, Special Assistant to the Secretary

Carolyn Green, Legislative Director

Sasha Santana, Executive Secretary

Karen Gray, Communications Director

Maria Dispenziere, Deputy Legislative Director

Troy Dunston, Caregiver Support Program

Glenda Ebersole, Policy Director

Christine Miccio, Director of Aging Services

## Committee Members & Guests in Attendance\*

Linda Walker, Central Susquehanna Intermediate Unit

Anne Yanikov, PA Health and Wellness

Kathleen Gillespie

Nancy Hodgson, U Penn Nursing

Jeff Iseman – PA SILC

Jennifer Hale, OLTL

Rebecca May-Cole, PCA

Carl Berry

Lindsey Snyder, P4A Host

Missy Shupe

Peter Blank, DOH

Carl Feldman

Erin O’ Dea (Rep. Dan Frankel)

Multiple unknown Phone #s

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 unless the individual indicated otherwise.

# Discussion Items and Summary

## 1. Welcome

Secretary Torres opened the meeting with a welcome to members and attendees and made the following announcements.

* **State Veterans Commission** – Mr. Samuel Petrovich has been appointed to the LTCC. In the future, the Veterans Commission will have a designated seat on the LTCC.
* **Sunshine Act Requirement** – An update was provided on the need to offer an option of in-person attendance for council members to comply with new Sunshine Act requirements therefore future meetings will be hybrid offering both in-person and virtual options until further notice.

## 2. Approval of June 10, 2021 Meeting Minutes

A motion to approve the minutes was made and seconded. The minutes of the June 10, 2021 meeting were unanimously approved.

## 3. Commonwealth Updates

### PA Department of Aging (PDA) - Secretary Torres reported on the following:

* **PA Council on Aging (PCOA)** – Faith Haeussler, previous PA Council on Aging Director, who was assisting with LTCC meetings, accepted a promotion with DOH. Please reach out to Secretary Torres or Stephanie Cole, Special Assistant to the Secretary with any LTCC related inquiries.
* **ACL** – Required PDA to review Intrastate Funding Formula (IFF) used to allocate federal funding (OAA). This was a condition of approving 4-year state plan. Process took several months including public review. Last week, PDA received approval from ACL and formula is officially in place. Older Americans Act funding will be distributed starting in the Fall in accordance with the updated formula. 18 AAA will experience decrease in funding of approximately $8.8 million due to shifting demographics.
* IFF information on the PDA website is available here: [https://www.aging.pa.gov/publications/state-plan-on-](https://www.aging.pa.gov/publications/state-plan-on-aging/Pages/default.aspx) [aging/Pages/default.aspx](https://www.aging.pa.gov/publications/state-plan-on-aging/Pages/default.aspx)
* Act 20-2021 - General Assembly passed and Governor signed Act 20 of 2021 which was one of PDA’s legislative priorities to better meet the demands of consumers that want to take advantage of the caregiver’s support program and provided flexibility to PDA to improve administration of the program.
* World Elder Abuse Day - on June 15, 2021 – Recommendations of the Financial Exploitation Task Force were publicly released.
* Aging Sub-Committee – Group continues meeting monthly on COVID related issues. A report summarizing the work of this group was created. PDA continues to provide outreach to help obtain vaccination for older adults.
* Advisory Council on Elder Justice – Finalized a healthcare and financial guide, on issues of power of attorneys, as a reference tool for front line workers who are not lawyers.
* Draft Survey – Would like to gauge the LTCC members on specific subject matter areas that members would like to engage in over the next year.
	+ For example, guardianship issues, Alzheimer’s, Veterans issues, etc.
	+ Workforce and Social Isolation were mentioned as a concern and priority.

### PA Department of Human Services (DHS) – Jennifer Hale, Director of the Bureau of Policy and Regulatory Management for DHS’ Office of Long-Term Living (OLTL), provided departmental updates as follows:

• OLTL American Rescue Plan Act Activities:

* + Federal Funding was allocated by the General Assembly and enacted by the Governor to provide $282 million to nursing facilities, personal care homes and assisted living residences. Funds are to be used for COVID-19 relief costs that are not reimbursed by Federal, State or other sources of funding. To qualify, the facility must be in operation as of June 1, 2021.
	+ Providers will receive a letter on details of payments, including information about approved use and reporting of funds.
	+ Payment information will be posted by facility to DHS website, under LTC provider resources.
	+ Funding will be distributed as follows:
	+ Out of $282 million, $247 million allocated for nursing facility payments.
	+ $198 million allocated to nursing facilities based on medical assistance days of care for 3rd quarter of calendar year 2019.
	+ $49 million allocated based on licensed beds for all nursing facilities starting March 31st, 2020.
	+ All enrolled nursing facilities will receive funding provided they meet the criteria described in the Act.
	+ Nursing facilities not currently enrolled with MA must complete a form and return to DHS. The form will be posted to DOH website in August.
	+ Act 24 of 2021 – also appropriated money for implementation of an indoor air management grant. To assist with reducing risk of spread of COVID-19 in long-term care facilities
	+ Communication sent outlining program and requirements of the program to supply grant funding up to $15,000 to qualified applicants.
	+ Applications will now be accepted until August 23, starting to accept from August 20th on a first come first serve basis until funds are fully distributed.

### PA Department of Health (DOH) – Peter Blank, Policy Director:

* DOH will announce an expectation that all skilled nursing in PA will need to get 80% of staff vaccinated by October 1st, 2021. Skilled nursing facilities who do not meet the 80% expectation by October 1st will require more frequent testing.
* Press conference on this issue was happening today.
* Launching a new skilled nursing facility vaccine dashboard that will provide vaccination rates against COVID-19 at all nursing homes in PA.
* Booster vaccines are actively being monitored, working with vaccine providers.
* If vaccinated folks are symptomatic, it is encouraged they get tested for COVID-19.
* Dr. Johnson has been working on monoclonal antibody treatment not only for skilled nursing residents but anyone seeking treatment options.

### PA Department of Health (DOH) – Lori Gutierrez, Deputy Policy Director:

* On July 31st – DOH published its first of five proposed regulatory packages to update LTC nursing facility regulations. It has been published in the PA bulletin and they will be accepting public comments for 30 days. The IRRC website link is <http://www.irrc.state.pa.us/> to provide public comments.
* Main proposals in package address number of hours of direct care provided to residents each day by increasing the minimum hours within a 24-hour period.
* Encouraged stakeholders to review proposed comments and submit their feedback. Resource account to submit comments is: RA-DHLTCRegs@pa.gov
* The intent is to publish each of the five regulatory packages before the end of the Governor’s term.

## 4. Caregiver Support Program

### PA Department of Aging (PDA) – Troy Dunston, Caregiver Support Program (CSP)

* Updated the Council on the Program and what opportunities are offered to older adults.
* The Pennsylvania Caregiver Support Program (CSP), funded by state and federal dollars, provides assistance and support to Primary Caregivers in their caregiving role to encourage a healthy, ongoing relationship with their Care Receivers. The program aims to alleviate the stresses associated with caregiving by:
* focusing on the well-being of the Caregiver
* providing access to respite care
* addressing the need for formal and informal supports
* providing financial reimbursement of out-of-pocket costs associated with caregiving-related services and supplies.
* To be eligible for the Caregiver Support Program, Caregivers must be the Primary Caregiver, meeting one of the three eligibility categories.
* All Caregivers and Care Receivers must be PA residents. U.S. Citizenship is not required.
* There is no financial eligibility requirement for Caregiver Support Program services. However, the amount of reimbursement is based on income and household size of the Care Receiver.

Services available through the Caregiver Support Program include:

* Care Management
* Benefits Counseling
* Caregiver Education and Training
* Reimbursement for ongoing expenses for caregiving services or consumable supplies, such as:
	+ Respite
	+ Consumable Supplies (incontinence supplies, nutritional supplements)
	+ Supportive Services (counseling, specialized medical transportation, transportation to respite)
	+ Supplemental Services (personal care, Personal Emergency Response Systems, pest control/fumigation)
	+ Home Modifications
	+ Assistive Devices
	+ Specific Services specific to Grandparents/Older Relative Caregivers. (school supplies, extra-curricular activities, seasonal clothing)
* The Caregiver Support Program is administered locally by our Area Agencies on Aging.

## 5. PA State Ombudsman

### PA Department of Aging (PDA) – Margaret Barajas, Director of Pennsylvania Office of Long-Term Care Ombudsman:

* Provided overview highlighting the dedication of Ombudsmen to approx.140,000 individuals living in LTC settings in PA.
* Older Americans Act sorts the role of Ombudsmen into two categories direct or systems advocacy.
* Direct advocacy (bedside) requires ombudsman to identify, investigate and resolve complaints made by or on behalf of residents. Also providing information to residents about LTC and supports and services ensuring that residents have regular and timely access to services.
* Systems advocacy represents the interests of residents before governmental and other agencies, seeking administrative, legal or other remedies to protect them.
* Also analyze and comment on recommending changes in laws and regulations pertaining to health, safety, welfare and rights of LTC residents.
* A portion of Ombudsman American Rescue Plan Act (ARPA) funding will be allocated for the statewide coordinated volunteer recruitment and retention campaign over the next year or so.
* Support a program called PA Empowered Expert Resident (PEER) Program.
* Investing in Adult Day Health Care – Veterans Center to be completed by early 2023.
* New community center construction site being sought with a 200 plus bed count, and state-of-the-art single rooms.
* June is National PTSD Awareness Month – Highlighting the difference between Moral Injured and PTSD.
* Protecting Older Pennsylvania Veterans with “PA Vet Connect”. This information was shared with Local AAA and others. Outreach is necessary and digital campaigns available to assist with this.

## 6. Open Session

Secretary Torres: The next LTCC meeting will take place on Thursday, October 14.

## 7. Adjournment

The meeting was adjourned at 11:22 a.m.

# New Action Items

Action Item 1: Advisory Council on Elder Justice – Financial Guide

Actionee(s): Secretary Torres

Deadline: Once received

Status: In Progress

Action Item 2: **HVAC Grant Applications**

Actionee(s): Jennifer Hale

Deadline: ASAP

Status: In Progress

# Old Action Items

None