

# IN THE NEWS

News for LTC Professionals  
in 100 Words-or-Less

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## They said it

**"This study provides rigorous empirical evidence that the 3-day rule may not serve its intended function of screening unnecessary post-acute SNF use and instead results in additional inpatient days"** From a Brown Univ study on the 3-day stay rule

**"If a facility struggles to absorb the cost, a CMP could inadvertently affect the care provided to residents"** Patrick Schumacher, a policy analyst at New York's Rockefeller Institute and author of a CMP study

**"We find that we live in the same ecosystem and have become quite interdependent"** AHCA CEO Cliff Porter on the TEAM Program that requires new collaboration between acute and post-acute providers

**"The past several weeks have been challenging, emotional, frustrating and exhausting in different ways for all of us"** Dr. Brendan Carr CEO Mount Sinai Hospital in NYC on the end of a nurses' strike

## Fuel Oil Leak Causes Evacuation of Residents

A senior living facility temporarily evacuated 17 residents last week after oil tanks in the basement leaked between 500 and 600 gallons of heating oil into the front yard.

The mishap occurred when a rusted leg on one of two fuel tanks collapsed in the basement of Fernwood Rest Home in Litchfield, CT causing a pipe between the two to rupture.

The oil drained into a basin and went then through a sump pump intended for removing groundwater, which then pumped the oil into the snowy yard next to the building.

Yahoo, News, 02/20/2026

## Tell me again. The Three-day Stay is Good for What?

Researchers from Brown University recently published a study on Medicare's three-day hospital stay requirement, which purports to curb Medicare spending and the unnecessary use of skilled nursing care.

The national study examined beneficiaries on traditional Medicare who were hospitalized after the three-day hospital stay was reinstated following its temporary pause during the COVID-19 public health emergency.

The researchers found that the long-standing requirement actually does the opposite: it lengthened hospital stays without reducing utilization rates of SNFs, resulting in additional health care costs yet no improvements in patient health outcomes.

AHCA/NCAL news release, 02/24/2026

## Audit Flags Dubious Adult Day Care Payments

A New York audit has uncovered \$285 million in questionable Medicaid payments to Social Adult Day Care programs, along with safety concerns and compliance failures.

The findings come as federal authorities recently charged two Queens men with allegedly defrauding Medicare and Medicaid of \$120 million through illegal kickbacks, bribes, and billing for services never provided.

For example, in one program with a legal capacity of 323 people, auditors found 386 dates when claimed attendance exceeded that limit. On one day, the program billed for 530 people — 207 over capacity — and received \$47,255 for that single day.

Fingerlakes1.com, 02/22/2026

## Fraud Recoveries From Providers Way Up in 2025

Civil fraud recoveries from the healthcare sector more than tripled between 2024 and 2025, signaling that the Trump administration will continue to press hard for provider investigations and financial penalties.

After brief relief in 2024, skilled nursing operators — long a target of whistleblower-led False Claims Act cases — also were subject to more traditional liability claims last year.

Overall, federal civil recoveries jumped nearly 150% to reach \$6.9 billion in 2025. Providers accounted for 83% (\$5.72B). And their share grew exponentially from 2024, when healthcare cases accounted for just \$1.67 million, the lowest level in more than a decade.

Bass, Berry & Sims'  
Healthcare Fraud & Abuse Review  
2026

## Policing AI By Health Insurers Is a Political Football

The question is - How should health insurers use AI?

President Donald Trump issued an executive order to preempt most state efforts to govern AI. The EO states AI companies must be free to innovate without cumbersome regulation. But "excessive State regulation thwarts this imperative."

Arizona, Maryland, Nebraska, Illinois, California, and Texas have enacted legislation reining in the use of AI in health insurance. Several others are looking at legislation.

DeSantis, has rolled out an "AI Bill of Rights," that include restrictions on its use in processing insurance claims and allowing the state to inspect algorithms.

McKnight's, 02/18/2026

## NLRB Formally Reverts to Previous Joint Employer Rule

The National Labor Relations Board has reinstated its 2020 joint employer rule. That version of the rule holds that a The National Labor Relations Board formally reinstated its 2020 rule governing when a company is deemed a joint employer under labor law after a federal court vacated a Biden-era definition two years ago.

The reinstated rule, effective immediately, affects LTC providers that use temporary or contract workers as well as operators that are part of franchises.

The NLRB's 2023 joint employer rule, was vacated by federal court in 2024.

Bloomberg Law, 02/27/2026

## **IN THE TRENCHES – Vaccines, COVID, Flu, Measles & Other Outbreaks Around the World**

**AMERICA:** Five more children died of **influenza** in the United States during the week of Feb.15 for a season total of 71. The 2024-25 flu season saw a total of 289 child deaths – the most reported in a non-pandemic flu season since 2004. Twenty-six states report high or very high case rates. Emergency department (ED) visits are highest among children aged 5 to 17, while people aged 65 and older have the highest hospitalization rates (*CDC FluView*).

**CAPITOL HILL:** Three members of Congress say HHS Sec. Robert F Kennedy Jr, lied during his Senate confirmation hearings in response to newly revealed emails that undermine his testimony that a trip he took to Samoa ahead of a deadly **measles** outbreak had "nothing to do with vaccines." The governor of Hawaii, a medical doctor said the disclosure of the emails misled the Senate and that he should step down (*The Guardian*).

**AMERICA:** Ending funding for the Ryan White **HIV/AIDS** Program would result in an estimated 73% increase in HIV infections in 30 states over 5 years, according to a simulation study. An analysis of data from 30 states that included over 99% of people diagnosed with HIV, projected an additional 117,431 infections over 5 years if the Ryan White program ends, and an additional 68,264 infections if the program is interrupted for 2.5 years (*Johns Hopkins University School of Medicine*).

**CALIFORNIA:** Health officials have confirmed a second **measles** case in a person who visited Disneyland in January, just one week after another case was reported. The Orange County Health Care Agency said it had been notified about a confirmed case of measles in a person who visited Disneyland on Jan. 22 (*People*).

**AMERICA:** Vaccination rates remain suboptimal for **COVID-19**, influenza, and RSV. In total, 8.8% of children, 17.6% of

adults have received the 2025-26 **COVID-19** vaccine, with 33.7% of adults aged 65 and older immunized. The proportion of people receiving the flu vaccine is 48.2% for children and 46.5% for adults, including 68.7% of older adults (*CDC*).

**CHICAGO:** Isaiah Carranza, a former Chicago White Sox pitching prospect has filed a federal lawsuit for \$19 million alleging he suffered a career-ending arm injury after being required in 2021 to receive a **COVID-19** vaccination as a condition of continued employment. The lawsuit alleges that shortly after receiving the vaccine, Carranza began experiencing severe pain and dysfunction in his pitching arm, which ultimately ended his prospects as a professional pitcher (*Chicago Sun-Times*).

**ARIZONA:** Health officials have identified Phoenix Sky Harbor International Airport as a place where people may have recently been exposed to **measles**. The Maricopa County Department of Public Health confirmed that a measles patient traveled through Terminal 4 on Jan. 29. There have been three confirmed cases of measles within Maricopa County (*AZ Family*).

**OHIO:** Public health officials are investigating six new **measles** cases in Columbus, Ohio, five of which involve unvaccinated children. All infected children are one through five years old. Also, Ohio Department of Health Director Bruce Vanderhoff, MD, MBA, said this week that people may have been exposed to measles at John Glenn International Airport in Columbus on February 18. The city saw seven measles cases in all of 2025 (*MedPage Today*).

**AMERICA:** New research from NYU Langone Health might explain why some patients experience incessant "brain fog" and memory issues long after a **COVID** infection. The researchers propose that long COVID may trigger changes in the brain that resemble the biological processes seen in diseases like Alzheimer's (*California Post*).

**THE WORLD:** New analysis links the **influenza** vaccination with an 18% lower instance of heart attack. In the study, researchers led by a team from Zhejiang Chinese Medical University in Hangzhou,

China, gathered data from 15 observational studies involving 23.5 million people. Most participants were older adults, ranging from approximately 57 to 77 years (*BMC Public Health*).

**CALIFORNIA:** An outbreak of eight measles cases in Shasta County — the first **measles** outbreak in California in at least six years — is prompting state health officials to urge all residents to check their vaccination status against the deadly and highly contagious viral disease. The outbreak, defined as three or more related cases, marks a notable uptick in measles in California. As of Monday, 17 **measles** cases have been reported in the state so far in 2026 (*San Francisco Chronicle*).

**SOUTH CAROLINA** The Department of Health confirmed 13 new **measles** cases, raising the state total to 933. Currently 235 people are in quarantine and six in isolation. The Upstate South Carolina outbreak is the largest single outbreak of measles in the U.S. in more than three decades. Though 95% of cases have occurred in Spartanburg County, officials identified a new case-patient in Lancaster County. Officials are still investigating the source of exposure for that person (*CIDRAP*).

**MEXICO CITY:** Mexico's capital has recorded its first **measles death**, bringing the virus's total death toll in the country to 28 and fueling fresh concern as it spreads from the north despite the government's vaccination efforts. (*Bloomberg*).

**EL PASO:** City health officials confirmed 17 **measles** infections in El Paso, Texas, including 13 at an Immigration and Customs Enforcement (ICE) detention center. The city's news release said the ICE facility is outside its jurisdiction, but the city's public health lab has provided testing support when requested and has supplied vaccine for health care providers in the detention center (*CDC*).

### **COVID-19 02/26/2026**

**World Total Cases**  
779,125,257

**World Total Deaths**  
7,111,493

**U.S. Total Deaths**  
1,235,493

World Health Organization

## **2 Kids. 5 Hours. 26 Infected. It was Measles, of Course**

At around 2 a.m., 7-year-old twin brothers arrived at Mission Hospital in Asheville, N.C. with fevers, a cough, a rash, pink eye, and cold symptoms.

The boys sat in one waiting room and then another. Two hours and 20 minutes passed before the two were isolated. Then two more hours ticked by.

As the sun rose, an ER doctor called the state epidemiologist. The public health official told him to keep the kids in the hospital and quarantine them.

Shortly after that call, they were diagnosed. It was measles.

Eventually, those two boys infected a total of 26 people

*USA Today, 02/24/2026*

## **LTC Bankruptcies Evenly Distributed Across Sector**

Long-term care bankruptcy filings since 2019 have been fairly evenly distributed among continuing care retirement / life plan community, skilled nursing and senior living operators.

An analysis by NIC reviewed senior living and care Chapter 11 bankruptcy filings from 2019 through 2025 for cases that had liabilities of at least \$10 million.

Senior living represented 38% of the sector's filing 2019 through 2025.

The researchers said that elevated filing activity from 2021 to 2023 accounted for senior living having the highest percentage of bankruptcies among long-term care providers.

*Senior Living, 02/26/26*

## **Feds Sued Over Warrantless Immigration Arrests in NC**

Five North Carolina residents, including a nursing home employee, sued the Department of Homeland Security and several of its agencies in federal court, alleging they were arrested and held without a warrant during violent and destructive immigration dragnet operations across North Carolina.

Four of the named plaintiffs, Yoshi Cuenca Villamar, Willy Wender Aceituno, Yair Alexander Napoles and Edwin Godinez, are U.S. citizens, and the fifth, Ruben Arguera Lopez, is a valid visa holder.

Nursing home worker Godinez was pinned against his seat and punched in the abdomen after being pulled over.

*Law360, 02/25/26*

## **PACS Group is Doing Quite Well, Thank You**

During the company's fourth-quarter earnings call Thursday PACS Group leaders touted the skilled nursing juggernaut's clinical abilities and outcomes, calling new quality measures tying pay to outcomes a welcome addition.

Nearly three-fourths (73.4%) of the company's 207 nursing homes are currently rated 4 or 5 stars in the CMS 5-Star system.

Total revenues of \$5.29 billion mark a 29% jump over 2024 - Net Income is \$191.5 million.

Total occupancy averaged 89.1% - mature facilities 94.9%.

In terms of people, the company's 47,000 employees care for 32,000 residents.

*McKnight's, 02/26/26*

## **SNF Chain Taps Psych Coaching to Boost Retention**

Confronted with younger generations' shifting attitudes toward work, turnover and other industrywide challenges, the McGuire Group is taking a different tactic than its long-term care peers.

McGuire has deployed a Psychologically Informed Leadership Development Program at its New York headquarters and in 18 facilities across the state.

The program uses psychology principles in an individual and group coaching framework.

The goal is to address burnout, constant changes and conflicting expectations about workplace contributions by improving workers' soft skills and helping them navigate confrontation to maintain collaborative relationships.

*McKnight's, 02/26/26*

## **ONE COLUMN**

### **CMPs Have Outsized Effect On Nursing Homes' Margins**

CMPs can significantly reduce provider margins, increase short-term debt and threaten fiscal stability.

Those are the conclusions of a new study reviewing CMP implications in about 12,000 nursing homes over an eight-year period. It examined 87,249 "facility years," of which 6% were hit with the most impactful fines.

"These findings raise a concern for regulators that CMPs, if not carefully calibrated, have the potential to cross the boundary from deterring violations to jeopardizing the financial stability of nursing homes," wrote study author Patrick Schumacher, a policy analyst at New York's Rockefeller Institute.

CMS imposed penalties on 15% of all facility years, with three-fifths (9%) being fined less than the cost of a day's expenses. Financial concerns grew among the other 6%, when the fines equaled or exceeded a day or more of expenses.

Meanwhile, 2% of penalties were equal to three or more days of expenses, correlating to a 3.56-point decline in margin.

In the CMS database analyzed by Schumacher, the share of nursing homes receiving at least one CMP increased from 11.0% in 2012 to 20.7% in 2017.

During that span, the average annual penalty rose from \$26,085 in 2012 to \$50,185 in 2016, with the largest penalty exceeding \$1.6 million that year.

The study period intentionally ended before COVID's onset, and a rapid rise in citations following the reopening of nursing homes to inspectors in 2021. A separate KFF tracker shows CMS hit 73% of SNFs with CMPs in 2023, and 67% in 2024

"Even when I represented CMS," said well-known LTC attorney Alan Horowitz, "I advised the agency that there has never been a credible study that correlates higher CMPs with better resident outcomes,"

*McKnight's, 02/24/2026*

## **State Bill Limits SNF Medical Director Coverage**

Lawmakers in Maryland are considering legislation this week to impose new qualifications for nursing home medical directors and limit them to covering two facilities each.

The bill would require medical directors, a group already under increasing federal scrutiny, to hold an approved medical director certification or be actively pursuing one.

The new rules would go into effect starting Oct. 1, but directors without certification who were appointed prior to September 2026 would have two years to come into compliance.

*McKnight's, 02/23/2026*

## **Staffing Standard Bill Reduced to Another Study**

A bill that initially aimed at putting in place minimum staffing standard for Virginia's 300 nursing homes no longer includes any enactment of an actual standard.

The proposed staffing standard bill was advancing through the General Assembly with bipartisan support. But by the time the bill passed the House of Delegates, its language had been reduced to direct a study of "the workforce in Virginia nursing facilities."

The study would be completed by the Joint Commission on Health Care which previously produced a study on this same issue in 2021.

*WTVR-TV, 02/20/2026*

## **Healthcare-Related Infections Kill More than Auto Accidents**

Health care-associated infections – infections patients acquire while receiving care for other conditions in a health care setting – are responsible for an estimated 6,774 deaths each year in Spain – three times more than car accidents.

Patients with HAIs had a 70% higher risk of death.

An analysis, based on data from 107,781 hospitalized patients, found that roughly eight of every 100 patients acquired a

HAI. Thirty-day mortality among patients with HAIs was 11.0%, compared with 5.7% among those without infections.

Respiratory infections were the most common HAIs (26%), followed by surgical site infections (22%) and urinary tract infections (18%).

*Eurosurveillance, 02/20/2026*

## **PA Launches Workforce Development Initiative**

The Pennsylvania Health Care Association has launched a workforce development initiative promoting awareness, education and recruitment within senior living and care.

The effort, called Care for the Aging, is meant to bridge the gap between potential employees and LTC career opportunities.

Key components: Career education: Detailed information on various senior living and care roles.

Success stories: Testimonials and profiles of individuals offering real-world perspectives.

Training pathways: Guidance on required education, training programs and certification processes necessary to enter the field.

*Senior Living, 02/20/2026*

## **\$2.1M Claim Negated - \$5,000 Settlement Confirmed**

A federal judge has formally denied a family's attempts to collect \$2.1 million in a nursing home personal injury case.

Mary Francis Logan, fractured her hip in a shower transfer at Macon Rehabilitation and Healthcare Center in 2014. In the following years Macon went bankrupt and the family accepted a \$5000 settlement, then later sued the facility and received a \$2.1 million judgement.

The insurance company Ironshore Specialty Insurance argued that any loss had been wiped away by the Logans' previous settlement agreement.

The Judge agreed.

*McKnight's, 02/17/2026*

## **Briefly in the News**

The Trump administration is reportedly working on plans to develop an alternative to the disease-surveillance and outbreak-response programs it previously had access to as a member of the WHO. HHS is seeking up to \$2 billion a year to build a worldwide disease-monitoring system that the U.S. once helped build for the WHO. The price tag is roughly three times the \$680 million the US government contributed annually to the WHO before it left the organization (*The Washington Post*).

The Medicare Advantage program continues to bring in more older adults and people with disabilities, but not nearly at the same rates from just a few years ago. Almost 35.5 million people were enrolled in a Medicare Advantage plan as of Feb. 1, up roughly 3% from 34.4 million at the same time in 2025. But for the second consecutive year the growth during Medicare's annual enrollment window increased less than the previous year (*Stat*).

Despite falling about 35% below earnings per-share forecasts in the fourth-quarter of 2025, Sabra revenue totaled \$211.9 million and beat expectations by 7.6%. The REIT projected "robust" portfolio growth in 2026, likely eclipsing 2025's \$450 million in deals. It expects to close \$240 million in contracts in the first two quarters of 2026 (*McKnight's*).

Sydney oncologist Bogda Koczwara knew something was wrong when a police officer she'd treated for non-Hodgkin lymphoma returned to her clinic exhausted. The chemotherapy had quietly damaged his heart muscle. The cancer never came back, but his heart never recovered. Koczwara says the case, in the late 1990s, was an early warning of what is now an established pattern. (*Bloomberg*).

Adults consuming the highest amounts of ultra-processed foods have an increased risk for cardiovascular disease. The researchers found that the mean ultra-processed food intake was 26.1% of total energy. Individuals in the highest versus the lowest quartile had a significantly higher risk for cardiovascular disease, i.e., myocardial infarction or stroke (*HealthDay News*).