

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT:

" *this is not attributable to providers putting profits over residents and staff, but chronic underfunding of Medicaid in virtually every state*" Bob Lane CEO of ACHCA commenting on the Q3 staffing report inadequate staff is the result of owner putting profits over residents

"*COVID-19 is not over. It is endemic and here to last*" Buffy Lloyd-Krejci, DrPH, a consultant with IPC Well

"*Too much of our nurses' time and energy is spent on routine medication distribution*" Emmett Reed CEO Florida Health Care Assn, commenting on propose legislation to authorize medication aides

"*We're facing this decision with some anxiety*" Dr. Dean Sidelinger, the Oregon state epidemiologist on lifting the mask requirement April 3

Man Shot to Death in His Nursing Home Bed

In what police called a "targeted killing" a man was shot to death in his bed at a nursing home in Oakland, California last week.

Ironically, Paris Moffett, 23, was recovering from gunshot wounds suffered in a drive-by shooting last September. He and another man were leaving a wake when someone in a passing car opened fire on them.

The other man was killed.

Moffett died about 12:53 a.m. in his room at the facility when two men shot him multiple times.

Moffett is the son of a San Francisco area gang leader who is in prison.

The Mercury News, 03/14/2023

Provider, Executives Charged in 14 COVID Deaths

A Los Angeles operator, Silverado, and three of its top executives have been charged with felony elder abuse (13 counts) and five felony counts of causing death, tied to COVID-19-related deaths in one of the company's communities early in the pandemic.

The complaint alleges in March 2020 the facility admitted a resident from NYC without testing him for COVID-19, did not quarantine after he showed signs of illness and admitted someone from a COVID hotspot (NYC) without a required 14-day quarantine.

In a resulting outbreak, 45 employees and 60 residents were infected with the virus and 14 people died.

McKnight's, 03/16/2023

Alzheimer's Spiraling Up While Staffing Spirals Down

An estimated 6.7 million Americans are living with Alzheimer's dementia today, a figure projected at 7.2 million by 2025 and 13.8 million by 2060.

At a time when long-term care providers are struggling to meet the needs of today's memory care residents, the industry is projected to need an additional 1.2 million direct care workers by 2030.

The Alzheimer's Association says that makes direct care workers needed more than any other single occupation in the country.

The report also indicated that residential facilities, with four to 25 beds house a higher percentage (51%) of Alzheimer's residents than do larger facilities.

2023 Alzheimer's Disease Facts and Figures, Alzheimer's Association, 03/16/2023

Asbestos Scare – Residents Evacuated from SNF

The Connecticut Department of Health ordered the evacuation of 69 people from a nursing home in Waterford last week. The residents were quickly moved out of Greentree Manor amid possible asbestos concerns.

The center said it has informed families of those being relocated to area nursing homes out of what it called an "abundance of caution" after tiles were discovered in the building that were possibly asbestos.

Greentree says it sent samples to a lab for confirmation. Residents were transferred to other nursing homes in the area.

WVIT-TV, 03/09/2023

Administrators Less Time in SNFs? – Oh, Come on!

The Long-Term Care Community Coalition, using PBJ data reported the average amount of time administrators spent in SNFs dropped from 8.44 hours per day in the third quarter of 2019 to 6.17 hours per day in the same quarter in 2022.

Providers disagree.

"In no way do I think administrators are or can even think about, spending less time in their buildings," said executive recruiter Kate Piperata.

The report also indicated at least half of all US nursing homes lost at least one administrator over the previous 12 months.

McKnight's, 03/13/2023

Nursing School Scam Widens NJ Revokes Nurses Licenses

In New Jersey the licenses of 20 nurses have been rescinded following the DOJ's investigation into allegations of fraudulently issued Florida nursing diplomas.

Additionally, 26 individuals holding temporary licenses in the state had their temporary licenses rendered null and void as the Board of Nursing voted to deny their pending applications for plenary licenses.

In January DOJ charged 26 people in a wire fraud scheme at five now-closed Florida nursing schools.. Federal investigators found approximately 7,600 fraudulent diplomas were given out nationwide with each student charged nearly \$15,000.

NJ Attorney General news release, 03/09/2023

IN THE TRENCHES – COVID-19 in the States, The SNFs, The World

MICHIGAN: Of the state's 430 care facilities fewer than 40% had staff that completed their first two doses of the vaccine. Michigan nursing homes received the most vaccine mandate violations for unvaccinated staff during the pandemic, and Michigan hospitals received the third most violations (*WDIV-TV*).

AMERICA: A large study indicates Covid patients were 36% more likely to experience gastrointestinal problems – stomach pain, constipation, diarrhea, vomiting, bloating – a year after infection than people who were not infected. The study compared medical records of 154,068 Covid patients in the Veterans Health Administration system with about 5.6 million patients of similar age and other characteristics who had not contracted the coronavirus (*Nature Communications*).

AMERICA: President Joe Biden is not expected to seek significant new Covid funding as part of his forthcoming budget proposal, the latest sign that the White House is preparing to wind down its emergency response operation later this year. The move comes as Biden has insisted that the public health crisis is under control (*Politico*).

AMERICA: Early in the pandemic White adults reported being vaccinated at higher rates than Blacks and Hispanics. No more. Recent surveys indicate the share of Black and Hispanic adults who report being vaccinated is roughly equal to the share among White adults. In fact, the share of White adults who say they will “definitely not” get vaccinated has been higher than the shares among Black and Hispanic adults in most recent polls (*Kaiser Family Foundation*).

AMERICA: Confusion and belief in misinformation about COVID-19 is common. In late 2021, nearly eight in ten adults said they had heard at least one of eight different false statements about COVID-19 and that they believed it to be true or were unsure if it was true or false. Unvaccinated adults were more likely to report believing COVID misinformation than those who are vaccinated (*Kaiser Family Foundation*).

THE WORLD: SARS-CoV-2 evolves and changes as it spreads over time, which has sometimes given rise to new “variants of concern”, or genetic changes in the virus with potentially harmful implications for public health. Since the original version of the virus emerged, WHO has identified 5 different variants of concern: Alpha, Beta, Gamma, Delta, and Omicron the dominant global variant now in circulation (*Kaiser Family Foundation*).

THE WORLD: In 2021, the U.S. government pledged to donate over 1 billion doses of COVID-19 vaccines to countries in need. As of February 2023, the U.S. had delivered over 680 million of these doses, and is the largest government donor to COVID-19 vaccination efforts. The difference between total vaccines pledged and those delivered largely reflects increasing supply and falling demand for COVID-19 vaccinations globally (*Kaiser Family Foundation*).

ILLINOIS: State Sen. Jil Tracy is sponsoring a bill that would allow Nursing Home residents to continue receiving essential care despite visitation restrictions, even under a statewide emergency. Under the measure, the Illinois Department of Public Health would establish a statewide policy for visitation of residents in the event of a public health emergency. facilities would be required to inform residents of their right to designate both a “primary” and a “secondary essential support person” of their choice (*KHQA-FM*).

AMERICA: LeadingAge has sent a letter to the FDA supporting approval of the new drug application for Pfizer's *Paxlovid*. Signed by CEO Katie Smith Sloan, the letter noted that 75% of the 1.1 million COVID19 deaths in the U.S were in adults over age 65 “precisely the age demographic our membership is serving” and that “for prevention of severe disease, Paxlovid has proven an effective mitigator” (*Senior Living*).

WASHINGTON state: For nearly two weeks now families have been forced to make tough decisions trying to figure out where their next meal will come from. It

comes as a result of SNAP food benefit funds, meant to help during the pandemic, being cut. At least 520,000 families in Washington were impacted. Over a million people are now without their usual stipend (*KCPQ-TV*).

CHINA: An international team of virus experts said on Thursday that they had found genetic data from a market in Wuhan, China, linking the coronavirus with raccoon dogs for sale there, adding evidence to the case that the worst pandemic in a century could have been ignited by an infected animal that was being dealt through the illegal wildlife trade. The genetic data was drawn from swabs taken from in and around the Huanan Seafood Wholesale Market starting in January 2020, shortly after the Chinese authorities had shut down the market because of suspicions that it was linked to the outbreak (*The New York Times*).

THE WHITE HOUSE: Although not likely to pass, the President's budget calls for \$400 million in new discretionary funding to prepare for pandemics and biological threats, as well as supporting advanced development and procurement of vaccines, therapeutics, and diagnostic capabilities against known and unknown high-priority threats. The budget also includes a new program to give uninsured adults access to free routine and outbreak vaccines (*Becker's Hospital Review*).

INDIA: A total of 76 samples of the relatively new Covid-19's XBB.1.16 variant have been found in India. The variant was initially discovered in January. Some experts have attributed the recent rise in Covid-19 cases to this newer variant (*Times of India*).

COVID-19, 03/16/2023

Global Cases – Deaths
760,360,956 – 6,873,477

U.S. New & Cases – Deaths
149,955 & 103,801,821 – 1,121,512

16.4% of the country's population has updated booster

U.S. CDC & WHO

It's Not Always Good to be #1

There were more than 1,000 open investigations into patient abuse or neglect at skilled nursing facilities at the end of 2022 – far more than any other care setting.

Nursing homes also led in open fraud investigations with 311 cases among inpatient and residential providers.

The False Claims Act's requirement that nursing facilities report and return overpayments within 60-days of identification will also pose a problem in the coming months and years.

False Claims cases are not under the jurisdiction of state Medicaid fraud units. But the Justice Department's own renewed commitment to post-COVID fraud enforcement are of concern.

HHS OIG Report, 03/15/2023

Apparently, It's Profitable To be Non-Profit

Nonprofit hospitals saw the collective value of their tax exemptions rise from an estimated \$23.7 billion in 2019 to \$27.6 billion in 2020 thanks in part to "substantial amounts" of government relief funding that pumped up their untaxed net incomes.

In a Kaiser Family Foundation report it's just a few billion below the \$31.9 billion in Medicare and Medicaid disproportionate share hospital payments received that same year and \$11.6 billion more than the total charity care costs those hospitals reported.

The value of tax exemptions grew 41% from about \$20 billion in 2011 to about \$28 billion in 2020.

Fierce Healthcare, 03/14/2023

Charged with Impersonating Nurse at Canada LTC Homes

Canadian police have arrested 25-year-old Aaliyah-Elizabeth Sampat for allegedly impersonating a nurse in at least four long-term care facilities in Ontario.

Police allege that she had fraudulent documentation from various governing bodies to bolster her job applications and

that she is not in fact registered with the College of Nurses of Ontario.

Sampat has been charged with 11 offences, including fraud over \$5,000, uttering forged documents, personation with intent, and possessing identity information with inference of fraud.

CTA CP24-TV, 03/09/2023

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States Catching the Bad Guys in Assisted Living

Efforts by state Medicaid Fraud Control Units resulted in a total of 17 criminal convictions related to assisted living in fiscal year 2022.

The HHS OIG reported assisted living resident abuse or neglect investigations led to 16 criminal convictions and recoveries of \$264,782 during the year.

Convictions of CNAs, nurses or physician assistants made up the largest group.

At the end of the fiscal year, 250 criminal cases and 12 civil cases related to assisted living resident abuse or neglect remained open, according to the OIG, and 34 criminal cases and 19 civil cases involving assisted living-related fraud remained open.

Senior Living, 03/15/2023

ONE COLUMN Clock is Ticking for COVID-Related Freebies

The White House announced this month that the national public health emergency, first declared in early 2020 in response to the pandemic, is set to expire May 11. When it ends, so will many of the policies designed to combat the virus's spread.

Take vaccines. Until now, the federal government has been purchasing covid-19 shots. It recently bought 105 million doses of the Pfizer-BioNTech bivalent booster for about \$30.48 a dose, and 66 million doses of Moderna's version for \$26.36 a dose. (These are among the companies that developed the first covid vaccines sold in the United States.)

People will be able to get these vaccines at low or no cost as long as the government-purchased supplies last. But even before the end date for the public emergency was set, Congress opted not to provide more money to increase the government's dwindling stockpile. As a result, Pfizer and Moderna were already planning their moves into the commercial market. Both have indicated they will raise prices, somewhere in the range of \$110 to \$130 per dose, though insurers and government health programs could negotiate lower rates.

"We see a double-digit billion[-dollar] market opportunity," investors were told at a JPMorgan conference in San Francisco recently by Ryan Richardson, chief strategy officer for BioNTech. The company expects a gross price — the full price before any discounts — of \$110 a dose, which, Richardson said, "is more than justified from a health economics perspective."

That could translate to tens of billions of dollars in revenue for the manufacturers, even if uptake of the vaccines is slow. And consumers would foot the bill, either directly or indirectly.

If half of adults — about the same percentage as those who opt for an annual flu shot — get covid boosters at the higher prices, a recent report estimated, payors would shell out \$12.4 billion to \$14.8 billion.

National Public Radio, 02/13/2023

Judge Says SNF Can't Hide Behind PREP Act

A lawsuit against Canyon Creek, a SNF in Billings, Montana, in which three patients died during the pandemic may go forward since the plaintiffs allege the facility neglected and did not properly care for their relatives.

The PREP Act provides immunity to healthcare workers and facilities from lawsuits related to treatment and devices except in case of neglect.

In allowing the suit to progress the judge said the facility's "failure to act was systemic, stemming from their complete failure to enact COVID-19 control programs" and the facility's lack of understanding of the PREP act is allowing the suit to continue.

McKnight's, 03/14/2023

New York LTC Seeking Huge Boost in M'caid Rates

New York's LTC facilities have asked for a 20% increase in Medicaid funding, but in her budget Gov. Kathy Hochel is proposing just 5%.

Medicaid pays for more than 70% of nursing home days and over 80% of home care services in New York.

James Clyne Jr., president of LeadingAge New York noted rates paid to such services as nursing homes, assisted living programs and adult day health care programs have not seen reimbursements adjusted for inflation in the past 15 years, while inflation has climbed by more than 40% in that period.

The Post Journal, 03/14/2023

Socialization of Folks in Senior Housing Is a Plus

Although the proportion of respondents who reported feeling isolated from others in the past year is now lower than in the first three months of the COVID-19 pandemic, a substantial number still report feeling socially isolated.

In the University of Michigan National Poll on Healthy Aging, results, feelings of isolation were more common among people who lived alone (38%) compared

with those who lived with others (32%). Feelings of a lack of companionship also were more common among those who lived alone (47%) versus those who lived with others (33%).

Adults aged 50 to 80 were surveyed.

Senior Living, 03/14/2023

Broke the Rules by Closing the Facilities?

Two advocacy groups have petitioned the state to place into receivership at least two of four nursing homes operated by Northeast Health Group in three western Massachusetts towns.

The groups say NHG is shuttering the facilities in Western Massachusetts without following the state's rules.

Northeast closing the nursing homes in Springfield, Westfield and Chicopee after failing to receive a waiver to a state rule limiting nursing home occupancy to no more than two residents per room.

The groups said the facilities told residents' families they must be out by early April instead of by June 6, per the state deadline.

McKnight's, 03/13/2023

Nebraska Waiting Lists Lengthen as SNFs Close

When a rural Nebraskan becomes ill, the first stop is to a hospital in Omaha or Lincoln – the largest cities in the state. If they need long-term care after that, things get complicated.

Ten nursing homes with 472 beds closed in 2021 and 2022 due to staffing shortages and poor reimbursement. A person needing LTC may wait a year for a bed and travel as much as six hours to get there.

The Nebraska Health Care Association says a 20% boost in Medicaid rates has helped, but at least another 8% is needed.

McKnight's, 03/14/2023

Briefly IN THE NEWS

In Marcum's annual report on the state of the nursing home business hourly nursing wages increased 7.63% from 2019 to 2020, and another 9.87% from 2020 to 2021. Contract nursing costs doubled. Occupancy dropped 4.08% from 2020 to 2021. Operating costs increases 9.27% from 2020 to 2021 (*Marcum Accountants*).

Trilogy Health Services is expanding into the state of Wisconsin with the management of two new communities, marking its first expansion into a new state in 17 years. Sun Prairie Senior Living and Waunakee Valley Senior Living both offer senior living and post-acute services. Both also offer assisted living, and Waunakee has an independent living component (*Senior Housing News*).

The Society for Long-Term Care Medicine has appointed Michelle Zinnert its new executive director. Prior to joining AMDA's team, Zinnert served as executive director for the American Urogynecologic Society for 16 years. During her tenure, that society saw significant growth in revenue, membership and product development (*McKnight's*).

The US Veterans Health Administration will pay for some beneficiaries to get *Leqembi*, a new Alzheimer's disease drug from *Eisai Co.* and *Biogen*. That's positive news for a treatment that Eisai expects to bring in billions of dollar in sales in the next few years. *Leqembi* received accelerated approval from the FDA in January (*Bloomberg*).

Good news for consumers considering long-term care insurance protection. Costs for linked benefit long-term care policies are generally between 10 and 15 percent lower than a year ago according to the annual price index released today by the American Association for Long-Term Care Insurance (*PR.com*).

AARP's latest report in the *Valuing the Invaluable* series, indicates that in 2021 unpaid family caregivers in Virginia provided care that would otherwise cost \$14.3 billion. That's a \$3.1 billion increase in unpaid contributions since the last report in 2019 (*Brunswick Times-Gazette*).

