

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT:

"Why are our political leaders dragging their feet, turning a blind eye and being so, dare I say, irresponsible?" LeadingAge CEO Katie Smith Sloan

"People with Medicare should be able to benefit from an array of plan choices that they can easily comprehend, with guaranteed, timely access to the medical care they need. We are concerned that MA plans are failing to deliver for seniors and Americans with disabilities on these critical goals"

from a letter to CMS Administrator Chiquita Brooks-LaSure from the U.S. Senate Committee on Finance

"The fear is, are they ever going to be able to leave? Is that just an on-ramp into permanent institutionalization?"

Alice Burns, KFF associate director of the health policy on elders forced into nursing homes while awaiting Medicaid approval for home care

Rape in Nursing Home Sends Kansas Man to Prison

A former nursing home employee is going to prison for the sexual abuse in a nursing home in Olathe, Kansas.

Samuel Maniu Wambugu was sentenced to a total of 208 months (17+ years) in prison for the rape and mistreatment of an 85-year-old nursing home resident.

The Johnson County District Attorney's Office announced that Wambugu will also be required to register as a sex offender.

The sexual assault occurred in January 2021.

Sunflower State Radio, October 31, 2024

Healthcare Is the Most Violent Place to Work

Health care and social services account for 73% of the 57,610 nonfatal workplace violence incidents requiring employees to miss work in 2021 and 2022.

Bureau of Labor Statistics data shows 14.2 cases of workplace violence in the health care sector in each year per 10,000 full-time workers. Private industry overall had 2.9 cases per 10,000 workers.

COVID-19 worsened the issue. The CDC reported the pandemic and the fierce debate over the response helped sow distrust in the health system, with workers' reports of harassment on the job more than doubling in 2022.

Axios, 10/30/2024

House Panel Refers Cuomo for Criminal Prosecution

A U.S. House panel on the COVID-19 pandemic is sending a criminal referral of former New York Gov. Andrew Cuomo to the Department of Justice, alleging he made "criminally false statements" during closed-door testimony in June.

In the Republican-led committee's referral, it says Cuomo "knowingly and willfully made materially false statements" when he told the committee he was not involved in the drafting or review of an order that banned nursing homes from rejecting admissions based solely on COVID diagnoses.

It was later found that Cuomo understated the number of COVID cases in the state by 50%.

NBC, 10/30/2024

Follow Up to the Cuomo Subcommittee Fiasco

Former NY Gov. Andrew Cuomo told a congressional panel he didn't remember working on a controversial, state-issued report that tallied pandemic-related deaths in nursing homes.

But new emails from Cuomo's former aide Farrah Kennedy indicate he approved "edits," and documents show Cuomo himself made handwritten suggestions on the draft report.

If DOJ ignores the case, there's the possibility that, if Donald Trump returns to the White House, his DOJ may go after Cuomo.

Cuomo is mulling jumping into the 2025 NYC mayoral race and critics say this referral could serve as a reminder for New Yorkers about his controversial past.

NY Post, 10/30/2024

LeadingAge CEO Blasts 'Irresponsible' Politicians

LeadingAge CEO Katie Smith Sloan made it clear who she thinks is to blame for a disjointed, underfunded, "unprepared" US aging services sector – politicians.

Speaking at the opening session of LeadingAge's annual convention Sloan blasted the political leaders for "dragging their feet" and ignoring the plight of long-term care in America.

Now is the time for "urgent" action, she emphasized, noting that the age distribution of the US is "flipping upside down and landing on its head."

Sloan also praised the providers who survived and helped one another during the carnage of hurricanes Helene and Milton over the last month.

McKnight's, 10/29/2024

Minnesota Staff Suspected Of Forging DNR Form

In a search warrant request, police asked for a judge's permission to seize from The Villas at Richfield all relevant medical records, video surveillance and identities of staff involved in the care of 55-year-old Candace Columbus, who died Oct. 2.

Staff claimed Columbus had a DNR on file, but did not provide it when asked by first responders, who then saw staff filling out what appeared to be a DNR form.

A state report said paramedics were called to The Villas after staff "suspected [Columbus] was dying but did not check on her or call 911 promptly."

The Minnesota Star Tribune, 10/30/2024

THE TRENCHES – COVID-19 & Other Outbreaks in in the U.S. and the World

CALIFORNIA: A Kaiser Permanente Northern California study of children during the COVID-19 pandemic found that children too young to be vaccinated had the highest hospitalization rate. The study relied on health records from 1,107,799 children ages 0 to 18. In total, 423 children were hospitalized for COVID-19 during the study period, and 24.3% infants 6 months and under—not eligible for vaccination—had the highest incidence of hospitalization, while 9.5% were 6 to 11 months, 32.9% were 1 to 5 years old, 18.9% were 5 to 12 years, and 14.4% were 12 to 18 years of age (*Influenza and Other Respiratory Viruses*).

MISSOURI: There's no evidence of human-to-human transmission of H5N1 bird flu among patients and healthcare workers in Missouri. The CDC said none of the six healthcare workers who developed respiratory symptoms after coming into contact with an H5N1-infected patient was infected with the virus; one tested negative on PCR, while the other five were confirmed negative on CDC's recent serology testing (*MedPage Today*).

UNITED KINGDOM: Researchers used data from the UK Biobank to compare post-acute infection syndromes among patients with COVID-19 to other lower respiratory tract infections (LRTIs). They showed that long-COVID patients have an increased risk of seven specific symptoms, including loss of smell, pain, mild fatigue and severe fatigue. Overall, COVID patients were more likely to report 23 of 45 symptoms compared to the controls. (*JAMA Network Open*).

AMERICA: In a study of 899 Marines – median age 18 – who tested positive for COVID-19 by polymerase chain reaction testing were followed up for almost a year to determine risk factors for developing long COVID. Nearly 25% (24.7%) of the Marines developed long COVID. The most prevalent symptoms reported by Marines were loss of taste and/or smell (41.6%), shortness of breath (37.6%), and cough (22.8%) (*The Lancet Regional Health Americas*).

AMERICA: The U.S. Food and Drug Administration approved Pfizer's RSV vaccine for the prevention of lower respiratory tract disease caused by RSV in adults aged 18 to 59 at increased risk of the disease. In June, the U.S. CDC narrowed its recommendation for the use of respiratory syncytial virus vaccines in older adults this year and held off on recommending their use for adults under age 60 (*Reuters*).

CALIFORNIA: Silicon Valley company is accused of conspiring to sell fraudulent N95 face masks during the early days of the COVID-19 pandemic. Advoque Safeguard LLC, headquartered in San Jose, conspired to sell hundreds of thousands of face masks mislabeled as N95s in spring 2020. The company faces one count of conspiracy to introduce misbranded devices into interstate commerce with intent to defraud or mislead (*San Francisco Chronicle*).

ARKANSAS: For the first time in 20 years the U.S. recorded locally acquired malaria cases last year. A CDC report identified a 10th case in Arkansas. The previous cases were in Florida, Texas and Maryland. Since the 1970, cases of travel-associated malaria have ticked upward in the U.S. with a total of 2048 cases recorded in 2019 (*CDC Morbidity & Mortality Weekly Report*).

IOWA: A person from Iowa who recently returned to the United States from West Africa has died after contracting Lassa fever, a virus that can cause Ebola-like illness in some patients. State health officials assured the public that the risk of transmission is "incredibly low" (*STAT*).

IOWA: New details on lassa fever in Iowa. Early information suggests the patient may have had contact with rodents while in West Africa, Lassa virus is endemic in West Africa and spread via contact with urine or droppings of infected rodents. Although rare, the virus can be transmitted person-to-person through direct contact with a sick person's blood or other body fluids, through mucous membranes, or through sexual contact (*CDC*).

WASHINGTON state: The CDC said there are 6 confirmed human cases of H5 avian flu in Washington state, as well as 3 more cases in California, raising the national total of human cases to 36 in the United States. In both Washington and California, the new cases have occurred in workers on affected farms (*CIDRAP*).

AMERICA: Infections with the bacteria that causes walking pneumonia have risen significantly this year, particularly among young children. The bacteria, called *Mycoplasma pneumoniae*, spreads through coughs and sneezes and can cause respiratory illnesses. Cases have risen among adults and children, but the most notable increase has been among children between 2 and 4, which experts say is striking given that the bacteria typically infects older children (*The New York Times*).

CALIFORNIA: A Kaiser Permanente Northern California study of children during the COVID-19 pandemic found that children too young to be vaccinated had the highest hospitalization rate. The study relied on health records from 1,107,799 children ages 0 to 18. In total, 423 children were hospitalized for COVID-19 during the study period, and 24.3% infants 6 months and under—not eligible for vaccination—had the highest incidence of hospitalization. (*Influenza and Other Respiratory Viruses*).

EUROPE: The CEO of Roche said he has been informed that more cases of mpox infection have occurred in Europe than previously reported and that the Swiss group could quickly offer 10 times more test kits than are currently in demand. "It seems like there are more mpox cases already in Europe, maybe not all of them are in the media yet," CEO Thomas Schinecker said (*Reuters*).

COVID-19, 11/01/2024

World Total Cases
776,696,616

World Total Deaths
7,072,509

U.S. Total Deaths
1,205,461

WHO

Study: COVID Vax Dropped Flu Vax Dropped Less

There was a “marked decrease” (10.5%) in COVID-19 vaccine uptake among nursing home personnel last season probably due to cost and the end of the CMS’s vaccine requirement.

influenza vaccination was also low among nursing home personnel, but four times higher than the new COVID-19 vaccines.

Influenza vaccination coverage was around 80% among the 8.8 million health care personnel working in acute-care hospitals and 45% among the 2.1 million health workers in nursing homes.

Besides protecting patients, the authors noted that vaccination among health care workers also “helps maintain a healthy workforce and reduces the risk for staffing shortages.”

CDC MMWR, 10/30/2024

On Time Surveys The Standard in Iowa

The Iowa Department of Inspections, Appeals and Licensing (DIAL) says it met all federal requirements for the timely inspection of nursing homes during the recently completed federal fiscal year.

During the past year, the Centers for Medicare and Medicaid Services

Although many states don’t meet the standard, CMS requires state inspection agencies to conduct annual recertification inspections at each Medicare-certified nursing home within 15.9 months of the previous inspection.

DIAL Director Larry Johnson, Jr., in a written statement. “We expect to meet CMS’ performance guidance for federal fiscal year 2025, as well.”

Iowa Capital Dispatch, 11/01/2024

New Laws Aim to Improve Long-Term Care

Assisted living facilities that offer memory care must now employ specialized staff trained in handling dementia patients, under a new law in Delaware.

It’s one of several measures passed in 2024 designed to improve care at the state’s long-term care facilities.

Other changes include: The Division of Health Care Quality will be required to inspect long-term care facilities every 12 months, with increased civil penalties for violations, and it will conduct additional oversight for temporary workers at such facilities.

AARP Bulletin, 11/01/2024

Oklahoma Ombudsman Office is on the Move

Oklahoma’s Long-Term Care Ombudsman Program will now operate under the Office of the Attorney General office.

The change comes on the heels of a new state law authorizing the move from the Oklahoma Department of Human Services to the Office of the Attorney General.

The “Older Americans Act” requires all states to have a program to address complaints in the long-term care system.

“By integrating this vital program into our office,” said Attorney General Gentner Drummond, “we will enhance our ability to investigate complaints, advocate for residents’ rights and ensure the highest standards of care.”

KFOR-TV, 11/01/2024

Concerns Over Life Care Center’s Future

The CEO and sole owner of Life Care Centers of America, Forrest Preston, is facing a conservatorship bid from his son, with the suit raising questions about the future of one of the nation’s largest nursing home providers.

Preston’s son, Aubrey B. Preston, is seeking a court intervention in the matter, alleging that Forrest’s wife, Kim Phuong Nguyen Preston, and her family have abused and financially exploited his father.

The older Preston is being asked by a county judge to submit to two medical examinations within 10 days amid the conservatorship petition.

Skilled Nursing News, 11/01/2024

ONE COLUMN Getting Out the Vote in Long-Term Care Settings

More than 1.2 million nursing home residents and 818,000 ALF residents have the right to vote, but some may struggle to cast a ballot due to varying state regulations and municipalities that don’t prioritize voting.

Providers can take advantage of a range of initiatives to ensure that older adults in nursing homes and assisted living facilities are able to vote.

The LeadingAge and AHCA/NCAL posted information and resources to help its members provide assistance to residents with the upcoming election.

They include providing transportation to polling sites, ensuring that residents can submit a mail-in ballot, or working with elections officials to let voters cast ballots from their residence through supervised absentee voting.

AARP also published a state-by-state guide to absentee voting, ID requirements and more.

The National Conference of State Legislatures cited a lack of comprehensive state-by-state data on all long-term care residents.

Recently enacted legislation affecting residents who live in long-term care settings includes:

Maine expanded a statute governing supervised absentee balloting to include residential care facilities and assisted living programs.

Mississippi defines “caregiver” and “family member” as individuals who can submit a ballot of a nursing home or assisted living community resident.

Nebraska expanded its list of approved photo identification required to vote to include a document from an assisted living community or nursing home showing the voter’s name and digital image.

New Hampshire enables county clerks to deliver absentee ballots to residential long-term care settings and to assist with the proper receiving, marking and returning of those ballots.

Senior Living, 10/31/2024

DOJ Targets Nationwide Nursing Home Abuse

The just-released Department of Justice (DOJ) annual report to Congress on efforts to combat elder fraud, abuse and neglect, details over 300 enforcement actions against more than 700 defendants accused of targeting older adults.

DOJ reported it recovered nearly \$700 million, disrupted major transnational schemes, and prosecuted cases involving substandard care at nursing homes and serious rights violations in veterans' facilities.

One high-profile case included the convictions of two Pittsburgh-area nursing homes found guilty of falsifying records to avoid penalties for inadequate care.

Both facilities manipulated staffing records to appear compliant with federal standards.

The Washington Informer, 11/01/2024

Virginia AARP Will Lobby To Expand Home Care

AARP Virginia is planning to push the General Assembly to create a fast-track process to determine Medicaid eligibility for older adults who need home or community-based care.

The organization says for many older Virginians who need help paying for in-home care, the initial hurdle can be daunting: a wait time as long as three months to be deemed eligible for Medicaid.

Home health agencies generally can't wait that long to start getting paid. Nursing homes typically can. So, someone who needs only light assistance can end up being forced into a long-term care facility.

AARP States, 11/01/2024

A Half-Billion Dollar Nursing Home Buy

CareTrust REIT plans to buy 31 skilled nursing facilities in Alabama and Tennessee from American Health Partners for about \$500 million.

The real estate investment trust will buy the properties in partnership with an unnamed "large third-party healthcare real estate owner."

CareTrust expects the deal to be completed this year. CareTrust will lease the facilities to the Pacs Group, the Ensign Group, Links Healthcare Group and an unnamed company.

The company also plans to buy four skilled nursing facilities for \$57 million next month in the northeastern U.S.

Healthcare Dive, 11/01/2024

Eight Nursing Homes Sold In Bankruptcy

A Western Pennsylvania provider reached an agreement in U.S. Bankruptcy Court to sell eight nursing homes for \$56 million as part of a financial reorganization.

Guardian Healthcare will sell skilled care facilities in Allegheny, Beaver, Jefferson, Washington and Westmoreland counties and West Virginia to GBK Eight LLC, a limited liability corporation based in Toms' River, N.J., according to Guardian officials and bankruptcy court records.

Guardian previously announced bankruptcy court approval of transferring operations at 11 other of Guardian Healthcare's leased skilled nursing facilities to Tom's River, N.J.-based Oxford Valley Health. The transfer was completed Oct. 29.

Pittsburgh Post-Gazette, 11/01/2024

Nurses Are Both Positive And Skeptical About AI

A nationwide survey of nurses' attitudes on artificial intelligence implementation in healthcare delivery revealed pockets of notable hesitation amid overall optimism.

In the McKinsey-American Nurses Foundation survey of more than 7,000 nurses, nearly two thirds (64%) said they'd like to see more AI tools in their work.

Nurses' top three concerns with using AI were accuracy, the absence of human interaction and uncertainty with how to use it.

McKnight's, 10/30/2024

Briefly in the News

Findings of a new study show higher mortality among Black women who were between 65 and 74 within six months of a hip fracture. Overall, mortality rates among both groups of women were similar six months and 12 months after having a hip fracture, with one exception: Black women between the ages of 65 and 74 years died at a higher rate (14.9%) than white women (8.9%) (*Journal of the American Geriatrics Society*).

ADVION's Board of Directors has elected Genice Hornberger, regulatory affairs director of PointClickCare, its new president. She most recently served as the chair of ADVION's Information Technology Committee for two years. ADVION, formerly the National Association for the Support of Long-Term Care (*ADVION news release*).

PACS Group announced that independent operating subsidiaries have agreed to acquire the operations of 12 skilled nursing facilities in Tennessee. The facilities will be leased from an affiliate of CareTrust REIT and collectively comprise 1,310 skilled nursing beds. PACS Group anticipates that the transaction will close this quarter (*Business Wire*).

People with the highest WWI (those who were more obese) had the highest risk for stroke compared with those who had the lowest WWI measurements. The risk persisted across different factors, including smoking and alcohol use, blood sugar and cholesterol levels. The study findings indicate that an elevated WWI is significantly related with a higher risk of new-onset stroke among older people with hypertension (*Scientific Reports*).

Low physical activity is associated with a higher risk of dying from all causes as well as from cardiovascular disease, diabetes, and kidney disease. In addition, the combination of reduced activity and longer sitting time every day is linked with a higher risk of death from any cause (*BMC Geriatrics*).