

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT

"While this program is a positive development, we remain deeply concerned that it will not fully resolve the significant gap in the number of nurses required to comply with the minimum staffing mandate" Nate Schema of the Good Samaritan Society on CMS plans to offer nursing students up to \$50K to work in nursing homes

"OSHA always intended for an infectious diseases standard for healthcare workers to supplant any COVID-19 healthcare standard" OSHA summary in Federal Register

"It's really a reflection of absenteeism from work by staff, or staff who just don't come to work on a particular day" Dana Mukamel, PhD on her study recommending that staff stability be included in the Five-Star rating

Staff Stability Proposed As Element of 5-Star

In a published study, a group of LTC scholars is recommending that staff stability should be added to the metrics they use to rate facilities for consumers.

Adding an instability measure to the staffing component of the Centers for Medicare & Medicaid Services Five-Star rating system would affect about 21% of the nation's nursing homes.

The study defined staffing instability as the percentage of days in a quarter in which hourly per day staffing is 20% or more below the facility average.

Consistent staffing levels are linked to fewer hospitalizations, fewer ED visits, and fewer increases in residents' ADL needs.

Health Affairs Scholar

Wildfires: Pasadena Sees 1400 Residents Evacuated

The mass evacuation of residents, mostly over age 65, created immediate health risks and stretched public health officials' coordination capabilities to their limits.

The evacuations exposed a critical challenge for nursing homes: Evacuating residents means not just getting them to safety without medical complications, but ensuring their 24-hour medical care and supervision continues wherever they land.

Medical staff at the Pasadena Civic Center reported a chaotic scene with basic supplies like gloves and hand sanitizer unavailable, cot shortages and nursing home residents transported without basics like socks and incontinence products.

LAist, 01/09/2025

"Flexibilities" for Victims Of California Wildfires

CMS is working with the State of California to put certain "flexibilities" in place to ensure those affected by this natural disaster have access to the care they need.

The agency is helping people obtain and maintain access to critical life-saving services by activating the Kidney Community Emergency Response program.

CMS has developed an inventory of Medicaid and (CHIP) flexibilities available to states in the event of a disaster to support Medicaid and CHIP operations and ensure continuity of coverage.

The government will reimburse beneficiaries per their usual plan allowance for any Part D drugs lost during the wildfires.

CMS news release, 01/10/2025

DEA Proposes Telehealth Prescribing Registry

The US Drug Enforcement Administration has proposed a rule that would subject long-term care providers who prescribe controlled substances via telehealth to a tiered registration system.

DEA said the rule would "provide heightened prescription, record keeping, and reporting requirements."

The planned proposal comes two months after the agency issued a final rule giving operators a third extension of COVID-era telehealth benefits.

In response, providers said they are taking their time to review what the update may truly mean for LTC, hoping it doesn't make care delivery more complex.

McKnight's, 01/17/2025

Revised RAI Manual to Focus on Psych Meds

CMS outlined its roadmap for state survey agencies in a document issued during the week.

Enforcement priorities include examining the use of antipsychotics, involuntary discharges, nurse staffing and Payroll-Based Journal reporting.

CMS will continue to crack down on the inappropriate use of antipsychotic medications, which the agency said too frequently are prescribed through misdiagnoses.

Due to the volume of residents who were inaccurately given the diagnosis of schizophrenia — as evidenced by the number of facilities that did not pass the CMS schizophrenia audit — CMS has strengthened the Resident Assessment Instrument User's Manual language to include additional requirements.

CMS news release, 01/14/2025

Twice as Many People Will Have Dementia in 35 Years

New cases of dementia will double by 2060, when 1 million U.S. adults are projected to develop the memory-robbing condition each year.

The new analysis shows that the risk a person faces over their lifetime is higher than some previous estimates.

After age 55, 4 in 10 adults are likely to develop some form of dementia. That's in part because the new analysis is based on decades of close follow-up, including regular cognitive assessments, of a racially diverse group of people — a quarter of whom were Black and face an increased risk of dementia.

Nature Medicine, 01/13/2025

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

AMERICA: Respiratory virus activity across the nation remains high, with COVID-19 levels rising across much of the country, flu indicators still elevated, and respiratory syncytial virus (RSV) activity very high in many regions, the CDC said in its latest illness updates. For the most recent flu reporting week, some markers remained stable or decreased, which the CDC said could reflect changes in health-seeking behaviors over the holidays rather than that the seasonal peak has passed (**CIDRAP**).

SAN FRANCISCO: A child in San Francisco who had red eyes and a fever had a probable case of H5N1 bird flu, according to the city's Department of Public Health. The case was caught by routine surveillance. When the child developed symptoms, they were checked for RSV, Covid-19 and the flu, and he/she tested positive for influenza A (**CNN**).

AMERICA: As they entered office at the height of the coronavirus pandemic in early 2021, Xavier Becerra and his allies had a plan to restore Americans' faith in the nation's beleaguered public health agencies. ... Four years later, the pandemic has receded. But trust in America's health agencies has not recovered. The percentage of adults who regarded the CDC as "excellent" or "good" fell from 64% in April 2019 to 40% in October 2021 — a rating that has stubbornly refused to budge in the subsequent three years (**The Washington Post**).

LOUISIANA: The Louisiana Department of Health (LDH) announced the state's first presumptive human H5N1 highly pathogenic avian flu case. The patient, a resident of southwestern Louisiana who was exposed to sick and dead birds with suspected infection, has been hospitalized (**CIDRAP**).

LOUISIANA: state health officials reported a patient who had been hospitalized with severe bird flu has died, the first such fatality in the United States. The patient was older than 65 and had underlying medical conditions. The individual became infected with the bird flu virus, H5N1, after exposure to a backyard flock and wild birds. There is no sign that

the virus is spreading from person to person anywhere in the country, and Louisiana officials have not identified any other cases in the state. (**The New York Times**).

AMERICA: In its weekly respiratory virus illness updates the CDC said Flu activity continues to rise, and COVID-19 indicators are also starting to rise from very low levels. "We predict COVID-19 illness to increase in the coming weeks, as it usually does in the winter," the CDC said. Wastewater detections are still in the low range and are highest in the Midwest, followed by the West and the South. (**CIDRAP**).

CALIFORNIA: State agriculture officials announced a raw milk recall from Stanislaus County producer Valley Milk Simply Bottled. Officials found H5N1 bird flu in bulk milk tanks produced by the Modesto-based raw milk dairy. The order applies to all Valley Milk Simply Bottled raw cow milk and Desi Milk raw cow milk distributed in quart, half-gallon and one-gallon plastic jugs with a code date of Dec. 23 through Dec. 30 marked on the container (**Los Angeles Times**).

AMERICA: Last year, about 8% of US adults reported that they had ever had long COVID. Those who currently had the condition or currently had activity-limiting long COVID were both under 4% (**CIDRAP**).

AMERICA: HHS is awarding \$306 million dollars to continue its H5N1 Avian Flu response. Of that amount approximately \$183 million will go for additional funding for regional, state and local preparedness programs. The rest will be awarded for increased monitoring and testing, to manufacture, store, and distribute additional influenza diagnostic test kits and research (**Sierra Sun Times**).

TEXAS: Today in *Emerging Infectious Diseases*, researchers from Texas A&M University published evidence of SARS-CoV-2 Omicron XBB.1.41.1 antibodies in captive whitetail deer and found more mutations than expected compared to the same virus in humans. SARS-CoV-2 has been found repeatedly in whitetail deer,

and the animal may serve as a reservoir for the virus across North America, the authors said (**CIDRAP**).

AMERICA: After years of holding steady, American vaccination rates against once-common childhood diseases have been dropping. Nationwide, the rate of kindergartners with complete records for the measles vaccine declined from around 95% before the pandemic to under 93% last year. Rates against polio, whooping cough and chickenpox fell similarly (**The New York Times**).

COLORADO: Food and Drug Administration officials turned up dozens of violations at a McDonald's supplier linked to a deadly outbreak of E. coli that led to more than a hundred infections and a sweeping recall of onions used in the fast-food chain's products, including its Quarter Pounder burgers. The Violations were seen during an inspection of a food production facility in Colorado run by Taylor Farms (**CBS News**).

EASTERN AND MIDWESTERN U.S.: THE USDA Animal and Plant Health Inspection Service has confirmed more H5N1 avian flu detections in poultry from three states, including on a second commercial broiler farm in Delaware's Kent County and an outbreak at a backyard farm in Michigan's Oakland County that has 100 birds (**CIDRAP**).

TEXAS: Researchers have identified nine mutations in a bird flu strain from a person in Texas. Bad news: this strain is more capable of causing disease and replicates better in the brain. Good news: approved antivirals are still effective (**Texas Biomedical Research Institute**).

COVID-19, 01/19/2025	
World Total Cases	777,126,421
World Total Deaths	7,079,925
U.S. Total Deaths	1,210,707
World Health Organization	

OSHA Takes COVID Plan Off Table – Providers Smile

The Occupational Safety and Health Administration has terminated a COVID-specific rule on that aimed to protect direct caregivers, deciding instead to shift its focus to include more infectious diseases.

OSHA's decision to add more infectious diseases under the rule's umbrella was all part of the agency's long-term mission.

The final draft of the Emergency Temporary Standard had been sitting for more than two years after it was submitted by OSHA officials in December of 2022.

Now that it's off the table, many providers are happy that the agency is refocusing.

McKnight's, 01/16/2025

SEIU Now Back in the Fold With the AFL-CIO

SEIU has re-joined the AFL-CIO. The affiliation adds 2 million service and care workers to the nation's largest labor federation, bringing its total membership to almost 15 million.

the union had become part of the AFL-CIO in 1995. Ten years later, however, SEIU retracted its membership.

The 2 million SEIU workers who now will be part of the AFL-CIO include approximately 180,000 nursing home workers in approximately 25 states and Canada and almost 800,000 home care providers in about 20 states.

Senior Living, 01/13/2025

CMS' \$50K Incentive for Nursing Students Ok, but.....

Providers had some hope but also plenty of uncertainty — and some downright skepticism — a day after federal regulators' unveiled plans to offer nursing students up to \$50,000 to work in a nursing home or for a state survey agency.

According to CMS, eligible applicants for the grant program are nonprofit nursing and educational organizations – including national associations for nursing schools, nurses, or nursing students.

In addition to concerns that the \$20 million pledged to the program isn't enough,

some worry that CMS hitting the right target in seeking groups to judge nurse applicants and distribute the grants.

Feds Call for Greater Clarity in PE Acquisitions

A Federal report looking at healthcare deals ultimately identified two major trends: increasing consolidation in certain healthcare markets and a recent influx of private equity and other private investors.

Private equity acquisitions in eldercare, inpatient services and pharmaceuticals increased by more than 250% over a decade, jumping from 352 in 2010 to 937 in 2020.

HHS reported that after the acquisitions, there were increasing reports of compromised resident health and quality of care, which were made evident by increased mortality rates and unfavorable events. Other results included lower staffing levels, decreased worker safety and lower employee pay rates.

McKnight's, 01/16/2025

Mass. Tightens Oversight Of Private Equity Firms

A new law in Massachusetts aims to limit the influence of private equity healthcare firms in the healthcare sector.

Gov. Maura Healey (D) signed a bill into law that "imposes reporting and financial requirements for private investors and other corporate affiliates and targets REITs.

The governor said that the new law will "close loopholes in our regulatory processes so that for-profit providers like Steward Health Care are subject to the same transparency rules as non-profit providers."

The new law expands the attorney general's investigatory and enforcement powers with particular attention to private equity investors, REITs and management services organizations.

Senior Living, 01/10/2025

"If you want to change the world, start off by making your bed."

—Admiral William McRaven

ONE COLUMN

Wildfires Will Cause Billions in Health Costs

HHS Secretary Xavier Becerra declared a public health emergency for California on January 10 to address the health impacts of the devastating wildfires in Los Angeles County.

The declaration provides greater flexibility for Medicare and Medicaid providers and suppliers, enabling them to address emergency health needs,

Entire neighborhoods in Southern California have been destroyed by deadly wildfires, displacing communities that don't know what — if anything — they'll have to return to.

Researchers have linked wildfires to long-lasting anxiety, depression and post-traumatic stress disorder in survivors, in addition to the well-documented physical toll.

Los Angeles has experienced some of the world's worst air quality this week as smoke as the massive wildfires blanketed the region and threatens the health of far more people than the fires themselves.

Almost 180,000 have been forced to flee their homes – at least 1400 nursing home residents among them. More than 10,000 structures have been destroyed or damaged. The fires are projected to cause \$20 billion in insured losses, according to JPMorgan Chase & Co analysts.

That damage projection doesn't even factor in the likely high health impacts of the smoke, which cause an estimated billions in hidden health-linked costs in the US annually.

The Southern California wildfires have forced health systems to close outpatient facilities throughout the area, limiting access to care.

At last word, 24 people had died including Anthony Mitchell, a 67-year-old amputee, and his son, Justin, who has cerebral palsy. They died together in the fire in Altadena.

Both were in wheelchairs.

Bloomberg, KTLA, Axios, Modern Health Care

C-3PO, et al Coming to a SNF Near You - Maybe

New research suggests that using robots in nursing homes has a positive influence on employee retention, hiring rates and resident care.

A facility in Japan used transfer robots, mobility robots, and monitoring and communication robots, which lowered staff attrition rates.

Researchers believe this decrease in turnover was related to the technology's ability to lessen physical strain for direct caregivers.

Robots also were found to change hiring patterns. There was a decrease in demand for experienced workers in favor of an increased demand for part-time less experienced employees.

McKnight's, 01/13/2025

Residents Could Sue Over 'Retaliation'

A proposed law in Illinois would allow residents to sue nursing homes for retaliation.

House Bill [2474](#) says that nursing homes and/or its employees cannot implement retaliatory measures against residents for actions such as complaints made to a supervisor, public body or regulator about a facility's alleged violations, testifying against the facility or seeking assistance to transfer to another type facility.

"We had some difficulties with the advocates that were drafting the bill, because they didn't really take into consideration that retaliation is a form of abuse," said Ron Nunziato, senior director of policy and regulatory affairs at HCCI.

McKnight's, 01/07/2025

Program Seeks to Develop Diversity in LTC Leaders

Declaring that "more people of color at every organizational level" are needed in long-term care, LeadingAge unveiled a quarter-million-dollar grant that will jump-start a program to boost more diverse nonclinical leaders.

The new fellowship reflects a partnership between LeadingAge and the United Negro College Fund. The \$250,000 grant

flows from the Next50 Foundation, which battles aging-bias and promotes better treatment of seniors.

The program will start with master's program graduates or mid-career professionals from racially and ethnically diverse backgrounds. The individuals will be new to the aging services sector and have previous experience in finance, human resources or data analytics.

McKnight's, 01/16/2025

DOCs Pro & Con On RFK, Jr. for HHS Boss

With controversy continuing to swirl around President-elect Donald Trump's nomination of Robert F. Kennedy Jr. to serve as HHS secretary, physicians against and in support of the nomination are organizing.

"To propose that this guy should lead the biggest health agency in the U.S" "I think it's terrifying," said Rob Davidson, MD of the Committee to Protect Health Care.

On the other side of the issue is Make America Healthy Again said in a letter. "His unwavering commitment to scientific transparency and his determination to address the root causes of illness make him uniquely qualified to lead HHS."

MedPage Today, 01/14/2025

Arizona SNFs Seek Boost in Reimbursement

Arizona long-term care providers are proposing a bill to increase the state's Medicaid reimbursement rate, an urgent move they say is needed to dent a projected shortfall.

It's been three years since the state increased the Medicaid program.

"They allocated approximately \$24 million at that time, and we were facing just a \$40 million shortfall," said David Voepel, CEO of the Arizona Health Care Association. "Now, that shortfall is up to over \$80 million."

Voepel said Arizona is paying \$32.57 less than break even, resulting in a typical 100-bed facility losing about \$2000 a day.

McKnight's, 01/08/2025

Briefly in the News

Seed oils — which are plant-based cooking oils that are often used in processed, packaged foods — have been linked to an increased risk of colon cancer, according to a new study published this week in the medical journal *Gut*. In Making the connection, Researchers at University of South Florida (USF) Health and Tampa General Hospital Cancer Institute analyzed 162 tumor samples from colon cancer patients (*USF news release*).

The fires burning across Los Angeles County sent billowing plumes of black smoke into the air, posing a major health threat even as quick-moving flames have blowtorched homes, schools and other buildings. That's because wildfire smoke contains fine particulates, known as PM2.5, which are one-seventieth the width of a single human hair and can easily infiltrate the heart and lungs. (*The Washington Post*).

The United States has the highest rate of drug overdose deaths out of 30 countries, according to a new report from the health nonprofit the Commonwealth Fund. Overdose deaths in the U.S. dipped slightly around 2018 after a years-long rise. But those deaths began to rise again in 2019 and shot up during the onset of the COVID-19 pandemic, according to data from the Centers for Disease Control and Prevention (*The Hill*).

Nearly 5,000 healthcare workers from Providence Health began a strike Friday morning, picketing all eight Providence hospitals in Oregon, after months of contract negotiations between the health system and the Oregon Nurses Association (ONA) union representing the workers. The strike is believed to be the largest involving healthcare workers, and the first involving physicians, in the state's history (*MedPage Today*),

The CDC now recommends that adults over the age of 50 receive the pneumococcal conjugate vaccine, or PCV. Previously, the recommendation for the vaccine was only for adults who were aged 65 and older and people between the ages 19 and 64 who had risks for pneumococcal disease (*CDC*).