

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT

"Government should admit the limitations of its role in people's lives and pull back its tentacles from the practice of medicine" Ralph Abraham, DVM, MD, and Wyche Coleman III, MD, after the Louisiana Department of Health announced it would no longer encourage mass vaccinations

"I'm having concerns now, not even 45 days into the year, that we've underestimated the cost of doing business this year" Jamie Spencer, CFO Ingleside, operator of continuing care retirement / life plan communities in Maryland, Virginia and D.C.

"CMS attempted to create equivalents to the outgoing measures and accomplished anything but," Joel VanEaton, executive vice president of compliance and regulatory affairs for Broad River Rehab on the CMS unfrozen Quality Measures

It's Ugly!

QMs Are Now Unfrozen

After waiting more than nine months, skilled nursing providers are getting their first look at updated and unfrozen quality measures that are likely contributing to lower star ratings across the board.

Analysis shows more than 4,000 nursing homes lost at least one star in Care Compare's quality domain compared to previous data, which had remained the same since April 2024.

A review of the now-public data by Formation Healthcare revealed that nearly 3,400 nursing homes lost one quality star, while 644 lost two stars, 72 lost three stars and 20 lost four stars.

McKnight's, 02/19/2025

The Flip Has Flopped Free COVID Tests Continue

The Trump administration changed course on Tuesday, deciding to keep the government's free COVID test program running.

Earlier that day, *The Washington Post* reported that officials were preparing to end the program and possibly destroy tens of millions of unused tests worth more than a half-billion dollars.

But 12 minutes before the shutdown, Andrew Nixon, a spokesman for the Department of Health and Human Services announced the site would remain active

Internal documents showed that HHS officials had been debating 2 options: Dispose of more than 160 million COVID tests or continue to ship them to US households.

Clinical Advisor, 02/20/2025

Medicaid Could Be on Congress' Chopping Block

The Senate and House are drafting separate budget resolutions, with Republicans tasking the House committee that oversees Medicaid with trimming \$880 billion in costs over a decade as part of the larger spending reduction effort.

Given strong "hands-off" messaging on Medicare and Social Security coming from the White House, experts have said major Medicaid cuts would undoubtedly have to be on the table.

But that debate could be on hold if Senate leaders get their way and delay the debate on Medicaid which covers more than 72 million Americans and the majority of nursing home care in the US.

McKnight's, 02/21/2025

Immigration Reform May Affect LTC Reimbursement

Senate Republicans are pushing a two-bill proposal that would first help pay for enhanced immigration enforcement by axing the nursing home staffing mandate — a win for providers. The proposal is projected to cost the federal government \$22 billion over a decade.

The CMS rule puts the bulk of costs on providers and actually called for Medicare savings of \$318 million annually starting in the rule's third year.

Budget-related pain almost certainly would come later in the form of Medicaid cuts that could cap federal spending for the program, forcing states to make some tough choices regarding funding Medicaid.

McKnight's, 02/21/2025

You're Fired! P.S. Happy Valentine's Day

On Valentines Day nearly 200,000 federal workers – many at HHS – were told they would lose their jobs as part of the administration's down-sizing of the federal government. Terminations are said to target recently hired federal employees and those still on probationary status for other reasons.

Of the expected layoffs, thousands will come from agencies within HHS, which has approximately 80,000 employees.

Nearly 5,200 HHS workers were notified that they would be fired, including 1,300 at the CDC.

Also believed to have been impacted is the NIH, an agency whose research examines common ailments that often are common in long-term care.

Stat, 02/15/2025

Proposed Law: Ombudsman Reports to Congress

A bill has been introduced in the U.S. House that focuses on improving health outcomes and transparency in long-term care.

Currently, under the Older Americans Act, the state ombudsmen programs investigate complaints and compile data for nursing homes and other LTC settings.

While each state is required to submit a report to the Administration on Aging (AoA) on the number of facilities visited, types of complaints handled, and how they were resolved, they are not required to share this information with Congress.

Wellsville Sun, 02/15/2025

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

ATLANTA: The CDC recently updated its SARS-CoV-2 **variant proportion estimates**, which show that, for the 2 weeks ending February 1, the proportion of KP.3.1.1 viruses continued to decline, with XEC holding steady and LP.8.1 rising. The proportion of XEC variants is at 43%, with LP.8.1 as the next most common, at 20% (*CIDRAP*).

THE WHITE HOUSE: The Trump administration reversed a plan to shut down the government website that ships free coronavirus tests to households last week, after The Washington Post reported that the administration was preparing to end the program and was evaluating the costs of destroying or disposing of tens of millions of tests (*The Washington Post*).

LOUISIANA: The Department of Health (LDH) will no longer encourage mass vaccination alarming health experts amid a growing measles outbreak in neighboring Texas. And LDH has banned vaccine events and ordered staff not to promote vaccination. In December, LDH employees had been instructed not to produce news releases, presentations, or social media posts urging vaccination against COVID-19, flu, or mpox (*New Orleans Public Radio*).

NEBRASKA: An Omaha Public Schools principal said five years after the COVID-19 pandemic, schools are still dealing with the fallout of disrupted academics and social distancing. Issues like poor school attendance and isolation are still barriers to learning. Teachers are actively encouraging face-to-face conversations in school. "We're trying to get kids to talk more," said Bryan High School principal Anthony Clark-Kaczmarek (*KETV-TV*).

WYOMING: This year's Legislature is considering several bills related to public health. HB 96 would prohibit discrimination based on COVID-19 face covering, vaccination or testing status. It applies to any person who receives subsidies from the state or federal government. In Wyoming statute, "person" includes individuals, partnerships, corporations, joint stock

companies, associations, and any other public or private entity (*Wyoming Public Radio*).

THE WORLD: Older adults had a lower risk of dying from the flu when they took oseltamivir (Tamiflu) during influenza hospitalizations, regardless of whether or not they were vaccinated against the virus, a new study shows. In a study of 8135 people, 18% of those who took the drug had an 18% lower risk of dying within 30 days. A study showed that the risk reduction was only for influenza A and not the less common influenza B (*Open Forum Infectious Diseases*).

GERMANY: Researchers from Ulm University in Germany found that at phase 2, 67.6% of the patients with long COVID at phase 1 developed persistent long COVID while 78.5% of the recovered participants remained free of health problems related to the condition (*Hematology Advisor*).

LOS ANGELES: UCLA researchers analyzed claims data on antiviral drug prescriptions among 412,755 privately and publicly insured COVID-19 outpatients ages 18 to 49 years who were pregnant (33,855), recently pregnant (2,460), or nonpregnant (376,440). Only 1.3% of pregnant US COVID-19 patients received an antiviral drug to reduce the risk of severe illness in winter 2021 to fall 2022, 67% less than their nonpregnant counterparts (*Clinical Infectious Diseases*).

AMERICA: More than 80 domestic cats, among many other types of mammals, have been confirmed to have had bird flu since 2022 — generally barn cats that lived on dairy farms, feral cats and pets that spend time outdoors. They likely caught it by hunting diseased rodents or wild birds. Now, a small but growing number of house cats have gotten sick from H5N1 after eating raw food or drinking unpasteurized milk. Some of those cats died (*NPR*).

ATLANTA: The CDC's Morbidity and Mortality Weekly Report (MMWR) resumed publishing after an unprecedented 2-week hiatus, but without the three H5N1 avian influenza papers

that were slated to publish on Jan. 23. A CDC spokesperson said the papers "are still in the pipeline" but they did not have a confirmed publication date (*MedPage Today*).

THE WORLD: The proportion of people being diagnosed with lung cancer who have never smoked is increasing, with air pollution an "important factor", the World Health Organization's cancer agency has said. Lung cancer in people who have never smoked cigarettes or tobacco is now estimated to be the fifth highest cause of cancer deaths worldwide, according to IARC, the International Agency for Research on Cancer (*The Guardian*).

NEW HAMPSHIRE: The Department of Health and Human Services (DHHS) said a person from Merrimack County has become the first person in the state to be diagnosed as having clade 1 mpox which raises the total US clade 1 cases to three. The infected individual recently traveled to Eastern Africa (*New Hampshire DHHS news release*).

WASHINGTON state: The Spokane Regional Health District announced Washington state's first pertussis (whooping cough) death since 2011, which involved a child younger than 5 years old who died in November 2024. The death was recently confirmed by the CDC, which in early January warned that cases in 2024 were higher than levels seen before the COVID pandemic (*CIDRAP*).

<u>COVID-19, 02/20/2025</u>	
World Total Cases	777,368,929
World Total Deaths	7,087,731
U.S. Total Deaths	1,216,003
World Health Organization	

She Filed Nearly \$100M In False COVID-19 Claims

A Nevada woman – Candies Goode-McCoy – pleaded guilty to making fraudulent claims for refunds of false COVID-19 related employment tax credits.

In total, these claims sought refunds of over \$98 million, of which the IRS paid approximately \$33 million.

From around June 2022 through September 2023, McCoy filed approximately 1,227 false tax returns for her businesses claiming refundable credits for employee retention credit, paid sick and family leave.

McCoy is scheduled to be sentenced in February 2026. She faces a maximum penalty of 10 years in prison.

DOJ news release, 02/14/2025

As Flood Waters Rose SNF Residents Evacuated

Residents had to be evacuated from the Palace Nursing Home in Red Boiling Springs, Tennessee on February 15 due to rising water, according to the Macon County Emergency Medical Services.

Multiple agencies assisted in the transport of 52 residents to another facility where they will remain until the water recedes.

A county bus dedicated to mass casualty incidents was used to transport the residents.

WSMV-TV, 02/15/2025

Flood Water Causes Evacuation in Kentucky, Too

Elkhorn City Baptist hosted 53 evacuated residents of Landmark of Elkhorn City (nursing home) as the flood waters began to rise in Pike County.

The Red Cross provided cots and blankets, the nursing home brought the nursing aids and Elkhorn City provided the place – its Life Center – and hospitality, including wheeling in the big screen television to watch the Kentucky-Texas basketball game.

“All things considered, it went pretty well,” Pastor Richard Greene said. “Just another day in Eastern Kentucky.”

The residents came to Elkhorn City Baptist in the early evening and returned to their facility on Sunday evening.

The Christian Index, 02/17/2025

New Antipsychotic Guidance Riddled with ‘Gotchas’

Thirty-five years after federal officials first narrowed in on the use of “chemical restraints” in nursing homes, layers of additional requirements have made prescribing sometimes-needed psychotropic medications questionable.

That was one of the major themes of a panel discussing preparation for new CMS surveyor guidance set to take effect March 24.

Revisions in the guidance focus heavily on antipsychotics and schizophrenia diagnoses that have already been in a compliance spotlight in recent years.

Before you order a psychotropic drug, you must, under all conditions, try behavioral intervention and to write into the record everything else you considered.

McKnight's, 02/12/2025

HHS and VA Object To J&J Settlement

Johnson & Johnson is using a bankruptcy strategy of creating a subsidiary company to shoulder legal liabilities and having that subsidiary – Red River Talc – file for bankruptcy and thus settle thousands of cancer-related lawsuits.

J&J's talcum powder products such as Johnson & Johnson Baby Powder contain asbestos, the only cause of mesothelioma.

Two U.S. health agencies – VA and HHS – are challenging to tactic, concerned that the proposed \$8 billion bankruptcy settlement could prevent federal health programs such as Medicare and Medicaid – which have covered the costs of treating cancer patients harmed by J&J's talc – from seeking reimbursement.

Mesothelioma Guide, 02/16/2025

ONE COLUMN

Bill Introduced to Address Loneliness In Older Adults

Legislation promoting programs that combat loneliness in older adults has been reintroduced by the leader of the US Senate Special Committee on Aging.

Committee Chairman, Sen. Rick Scott (R-FL) and Sen. Tina Smith (D-MN), reintroduced the Social Engagement and Network Initiatives for Older Relief (SENIOR) Act on Friday. The proposal would add loneliness to the definition of disease prevention and health promotion services under the Older Americans Act.

The bipartisan bill also would require the Department of Health and Human Services to create a report on the effects of loneliness on older adults, recommend solutions and analyze the relationships between multigenerational family units, loneliness and older adults.

Argentum previously noted its support for the legislation, which also would provide a comprehensive approach to reintegrating older adults into the general community.

In 2023, US Surgeon General Vivek Murthy, MD, announced a “National Strategy to Advance Social Connections” to address an “epidemic of loneliness and isolation.”

In the wake of that advisory, the senior living industry held up assisted living as a way for older adults to strengthen social connections, bolstered by previous research.

A 2022 report from the American Seniors Housing Association and ATI Advisory found that senior living communities reduced social isolation and improved quality of life during the pandemic through greater access to social, physical and intellectual wellness than their counterparts living in the greater community.

And in 2021, a survey from Activated Insights reported that just 20% of senior living residents reported feeling “severely lonely.” The survey also revealed a potential decline in loneliness among older adults in assisted living and other congregate living settings from before the pandemic.

Senior Living, 02/11/2025

No Problem, Let Me Just Get Out My Checkbook

Collection agents for the state of Iowa have sent letters seeking millions of dollars from the estates of at least two disabled people who died at Glenwood Resource Center, a state-run facility that closed last summer.

Both families received bills from the Iowa Department of Health and Human Services seeking over \$4.2 million each for the care of their adult children who passed away at the facility within the past year.

To encourage people to use their own resources before public programs, federal law requires states to try to collect money after Medicaid recipients die.

Des Moines Register, 02/18/2025

Bill Advances – May Result in Demise of M'caid Expansion

A bill that could repeal voter-approved Medicaid expansion narrowly cleared its first chamber of the Idaho Legislature.

After an hour and a half of debate Wednesday, the Idaho House on a narrow 38-32 vote passed a Medicaid expansion reform-or-repeal bill.

House Bill 138 requires Idaho to enact 11 Medicaid policy changes or repeal Medicaid expansion — a policy that lets more low-income Idahoans be eligible for the health insurance assistance program.

Idaho Capital Sun, 02/19/2025

Woman Froze to Death In Wyoming Nursing Home

Campbell County Coroner's Office released more information about the 88-year-old woman who froze to death at the Legacy Living and Rehabilitation Center in January.

The body of Judith A. Duvall was found by staff in an enclosed courtyard. No other details were revealed. But three people have been fired after an internal investigation into this incident.

Meanwhile, the Gillette Police Department has been investigating the death of a 66-year-old woman who died at the facility in November of an overdose of prescription medicine.

Gillette News Record, 02/04/2025

Dialysis Med Pay Change Causes Issues for SNFs

A change in Medicare coverage for specific medications needed during in-SNF dialysis has left nursing homes and their patients in a serious bind.

Medicare rolled payments for seven different oral-only phosphate binders into its End Stage Renal Disease Prospective Payment System.

But since the payment change, many patients who receive their dialysis treatments in nursing homes are having trouble securing the medications.

Most nursing home residents on dialysis take at least one of those drugs to clear excess phosphate that can result from the dialysis process.

McKnight's, 02/17/2025

Florida Latest Sate to Consider "Grannie Cams"

A Florida House subcommittee overwhelmingly voted to approve a bill that would allow LTC facility residents to install electronic recording devices

Residents would have to pay for installation and the internet needed for the cameras.

Residents who share rooms would have to secure permission from their roommates to use the cameras. If a roommate doesn't agree, the legislation would require a facility to move one of the residents.

Florida Phoenix, 02/20/2025

Dr. Oz Says He Will Sell Out and Get Out

Dr. Mehmet Oz has agreed to divest stakes worth millions of dollars in numerous healthcare companies, including UnitedHealth Group and HCA Healthcare, if he is confirmed as administrator of the Centers for Medicare and Medicaid Services.

In an ethics agreement posted by the Office of Government Ethics Wednesday, President Donald Trump's pick to lead CMS said he would end investments in many companies within 90 days of confirmation. He also said upon confirmation, he would resign from numerous advisory positions he holds.

Modern Healthcare, 02/19/2025

Briefly in the News

In Massachusetts General Brigham and IBM have teamed up to develop an AI tool for health systems and community health centers. The tool will be designed to predict local heat waves, identify patients at risk and send automatic warnings when extreme heat is expected. The tool will also alert patients to available resources, and it will include security features to protect patient information (**Becker's Hospital Review**).

Chiquita Brooks-LaSure, most recently Administrator at CMS in the Biden administration has signed on with The Century Foundation — a leading [progressive think tank. Brooks-LaSure will be a full-time Senior Fellow at TCF, focused on "protecting historic gains in health care made under the Biden administration and charting a path forward for a more affordable, equitable, and efficient health care system" (**Century Foundation news release**).

The number of Americans with confirmed illness caused by contaminated food rose by 25% last year, according to a new report from the US Public Interest Research Group (PIRG) Education Fund. The Food for Thought 2025 report shows a total of 1,392 Americans in 2024 became ill after consuming a contaminated food item, up from 1,118 in 2023. What's more, the number of hospitalizations more than doubled, rising from 230 to 487, and deaths climbed from 8 to 19 (**CIDRAP**).

Utah students in as early as kindergarten would be required to learn about firearm safety in the classroom under a bill that passed the state House with overwhelming support Friday. The Republican-controlled chamber approved the measure in a 59-10 vote and sent it to the Senate, despite concerns from some gun violence prevention advocates that it places an undue burden on children (**AP**).

A woman treated with a pioneering type of immunotherapy for a solid tumor has been in remission for more than 18 years with no further treatments, experts have revealed. The therapy involves taking T-cells, a type of white blood cell, from a patient and genetically engineering them to target and kill cancer cells (**The Guardian**).