

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT

"The Court has confirmed that CMS does not have the authority to issue such staffing requirements — only Congress does. Therefore, we now call on Congress to act" Clif Porter, CEO of AHCA/NCAL

"The numbers in this budget resolution call for deep reductions in federal financing of the Medicaid program. Such cuts would force states to make decisions that will severely limit older adults' access to care and the ability of our nonprofit and mission-driven members to provide that care" LeadingAge CEO Katie Smith Sloan

"There are career CNAs that don't want to go on to become a licensed practical nurse or a registered nurse. They love doing what they do," Jeff Barrett, director of workforce and leadership development at AHCA commenting on a "micro certificate in Arizona

3 Years in the Slammer For Skyline's Schwartz

Former Skyline Healthcare owner Joseph Schwartz was sentenced to three years in prison and a \$100,000 fine for his role in a \$39 million tax evasion case that stunned helpless onlookers. The sentence is three times longer than his original plea.

His scheme, which included syphoning off employees' tax payments before they could be sent to the IRS destroyed his quickly built nursing home empire of 95 facilities in 11 states, from Massachusetts to Arkansas and South Dakota and included some 15,000 employees and 7,000 residents.

Schwartz also owes \$5 million in restitution.

McKnight's, 04/10/2025

Federal Judge Shoots Down Staffing Mandate

A federal judge threw out the Biden-era staffing mandate, quickly shifting providers into considering how they'll use their freedom from inflexible requirements to rebuild and modernize the workforce.

The judge found in favor of four nursing homes, the American Health Care Association and LeadingAge, ruling that a 24/7 requirement for RNs exceeded the authority of CMS.

Rural facilities were especially opposed to the proposed 24/7 requirement given that some US counties only have one RN in any healthcare setting now.

The rule would have also increased PPD direct care.

McKnight's, 04/07/2025

Fischbach Will 'make sure' Mandate Stays Dead

The original sponsor of legislation to prevent a federal staffing mandate from taking effect will still press for the bill's passage, even after a judge vacated the rule this week.

Rep. Michelle Fischbach (R-MN) explained her plans to LeadingAge members gathered in Washington, DC, for a major lobbying event.

Rep. Michelle Fischbach said the ruling in favor of the challenged mandate was "awesome" and a "great step in the right direction."

But Fischbach also said she expected HHS to appeal the rule within a designated 60-day window.

McKnight's, 04/10/2025

EEOC Warns Those Who Violate Immigration Laws

Equal Employment Opportunity Commission Acting Chair Andrea Lucas vowed in a message Wednesday to take action against employers that are "part of the pipeline contributing to our immigration crisis or abusing our legal immigration system via illegal preferences against American workers." The acting chair said she intends to deter illegal immigration "and reduce the abuse

of legal immigration programs by increasing enforcement of employment antidiscrimination laws against employers that illegally prefer non-American workers."

She maintains that many companies violate Title VII of the Civil Rights Act of 1964, which prohibits, among other things, discrimination based on national origin.

EEOC news release, 02/19/2025

CMS Proposes 2.8% Pay Raise for 2026

SNF providers would see a 2.8% raise next fiscal year, or a cumulative \$196.5 million, according to a proposed pay rule issued by CMS Friday.

The proposed rule calls for a 3% market basket adjustment to account for inflation, plus a 0.6% forecast error adjustment and -0.8% productivity reduction.

The increase is significantly less than recent years. Providers received a 4.2% pay hike ahead of this fiscal year and 4.0% the year before.

The skilled nursing proposal dropped in a flurry of activity for CMS, which published five pay rules and two major directives to states within a 24-hour window.

McKnight's, 04/11/2025

Abrey Preston Takes Reigns Of Life Care Centers

Aubrey Preston, a son of disabled billionaire and founder Forrest Preston, was formally announced Wednesday as the new board chairman and CEO of Life Care Centers of America.

The giant nursing home chain's board of directors unanimously approved Aubrey, who last month was named the legal conservator for his father.

With over 200 facilities, LCCA is the largest individually owned nursing home chain in the US.

Aubrey said he will be leading the company on behalf of his 91-year-old father, who in February was found by court-ordered medical experts to be suffering from advanced stages of dementia.

McKnight's, 04/10/2025

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

AMERICA: Fueled by outbreaks in multiple states, including a large one centered in west Texas, the nation's measles cases are over 600 cases now. It's the worst outbreak since 2019 and the nation is one track to exceed the 1274 cases that year. Texas is approaching 500 cases. Of all cases 97% were unvaccinated or had unknown vaccination statuses, and 12% have been hospitalized (**CDC**).

THE WORLD: After returning home from a trip abroad, an infant in Houston was hospitalized with measles. In Lamoille County, Vermont, this month, a child became sick with measles after returning from foreign travel. The same thing happened to an adult in Oakland County, Michigan, whose vaccination status was unknown. Although measles was declared eliminated in the United States in 2000, it still rages on in many parts of the world. With decreasing vaccination rates across the US, experts say, imported cases can have large consequences (**CNN**).

TEXAS: Officials announced the second death of a child in its ongoing measles outbreak. The victim was an unvaccinated school-aged child, 8-year-old Daisy Hildebrand of Gaines County. She had no underlying health conditions and died April 3 from measles pulmonary failure. HHS Sec. Robert, F. Kennedy, Jr attended the funeral (**CIDRAP**).

NEW HAMPSHIRE: Insurance companies are warning that health care premiums would likely go up if state lawmakers pass a bill dismantling New Hampshire's universal vaccine-purchasing program. Republicans have proposed repealing the New Hampshire Vaccine Association, which collects payments from insurance companies to fund bulk purchases of childhood vaccines. Those vaccines are then distributed to health care providers at no cost (**New Hampshire Public Radio**).

WASHINGTON, D.C: Robert F. Kennedy Jr., the nation's top health official, has an unorthodox idea for tackling the bird flu bedeviling U.S. poultry farms. Let the virus rip. Instead of culling birds when the infection is discovered, farmers "should consider maybe the

possibility of letting it run through the flock so that we can identify the birds, and preserve the birds, that are immune to it" (**The New York Times**).

AMERICA: according to people familiar with the matter, the U.S. Health and Human Services Department is weighing plans to drastically cut the federal government's funding for domestic HIV prevention. The plans could be announced as soon as within days, the people said, but they haven't been finalized and could be pulled back or adjusted (**The Wall Street Journal**).

TEXAS: As measles tears through West Texas, infecting at least 505, hospitalizing 57 and claiming the lives of two children, some lawmakers in Austin are pushing bills to roll back vaccine requirements and expand access to exemptions under the banner of "choice." Bills were introduced to weaken vaccine mandates and make it easier for parents to obtain exemptions for their children — and there's little indication that the state's worst outbreak in three decades has changed their thinking (**Texas Tribune**).

AMERICA: Health officials in Kansas today reported six more measles cases, bringing the total in the state's growing outbreak to 32. There are now 25 cases in Ohio, and four confirmed in Michigan. Also, Colorado has three cases and one4 in Hawaii (**CIDRAP, Cleveland.com, WILX10-TV**).

AMERICA: Tuberculosis continued to rise again in the U.S. last year, reaching its highest levels in more than a dozen years. CDC data indicates more than 10,300 cases were reported last year, an 8% increase from 2023 and the highest since 2011. Both the number of cases and the rate of infections rose. Rates were up among all age groups, and 34 states reported an increase (**AP**).

WASHINGTON, D.C: The Trump administration is shuttering HHS' long COVID office as part of its reorganization, according to an internal email. The email was sent by Ian Simon, the head of the Office of Long Covid Research and Practice. It said the closing is part of the

Department of Health and Human Services' reorganization (**Politico**).

AMERICA: The measles outbreak in West Texas has reignited familiar anti-vaccine tactics: claiming there are readily available treatments for the disease while sowing doubt in the safety of vaccines. HHS Secretary Robert F. Kennedy Jr. touted two particular medications that have not been shown to work as first-line treatments for measles: the steroid *budesonide* and the antibiotic *clarithromycin*. (**NBC News**).

NEW YORK: Former Gov. Andrew Cuomo continued to deflect blame over his administration's controversial directive to send infected COVID-19 patients into nursing homes, which resulted in thousands of deaths, during the worst period of the killer pandemic. Cuomo placed fault on health care experts who he said "did not know how many people were going to die" (**New York Post**).

AMERICA: Nearly 1-in-7 working-age US adults had experienced long COVID by late 2023, and socially disadvantaged adults were over 150% more likely to have persistent symptoms, two new studies find (**CIDRAP**).

IDAHO: will enforce a first-in-the-nation ban on vaccine mandates in businesses and schools this summer after legislators on the last day of their session passed a revised "medical freedom" bill. The ban reflects a growing distrust of immunizations among Americans that helped install vaccine skeptic Robert F. Kennedy Jr. as the nation's top health official. More than a dozen other states have introduced similar bills (**Bloomberg**).

COVID-19, 04/10/2025

World Total Cases
777,684,506

World Total Deaths
7,092,720

U.S. Total Deaths
1,220,951

World Health Organization

Group Calls for Removal Of Antipsychotics from 5-Star

Members of a national coalition are urging HHS/CMS to revisit what they've deemed a flawed measure in CMS' Five-Star Rating System that has caused "unintended consequences."

Project PAUSE detailed how the Long-Stay Antipsychotic Medication quality measure has restricted access to appropriate care for SNF residents, especially those with neuropsychiatric symptoms.

They'd like the measure removed, charging that it interferes with clinically-necessary treatment and has an "outsized impact" when stacked up against other measures in CMS' Star Rating System.

The group is calling on the Trump administration to address long-standing concerns, which, they said, the Biden administration declined to consider.

McKnight's, 04/11/2025

Drugs May be Next On The Prez Tariff List

America will soon impose "major tariffs" on pharmaceutical imports from other countries.

President Donald Trump revealed his administration's plan at a National Republican Congressional Committee dinner during the week. The president and China have traded tariff increases recently.

Trump also seems to be targeting China with his pharmaceutical tariff plans, saying that he hopes pharmaceutical companies will leave China as a result.

About 72% of manufacturers supplying the U.S. market are overseas – 13% in China.

Traditional drug production processes require a large factory site, often have environmental liabilities and can utilize a low-cost labor force."

Newsweek, 04/09/2025

Employers Warn M'caid Cuts Can't Raise Hospital Rates

Large employers want hospitals to know they will not pay up if President Donald

Trump and congressional Republicans follow through with their plan to deeply slash Medicaid funding.

The threat of a shrunken Medicaid program, leading to more uninsured people and more unpaid hospital bills.

It has reignited a long-running debate about whether, or to what extent, providers raise prices on commercial insurers and employers to compensate for lower Medicare and Medicaid reimbursements.

Modern Healthcare, 02/28/2025

Immigration Policies Could Seriously Affect LTC

Immigrant workers in low-wage sectors may be one group facing the brunt of the Trump administration's focus on mass deportations.

The exact number of undocumented US healthcare workers is unknown, but if the proportion matches the number of unauthorized immigrants reported to be in the US altogether (23%), that could correlate to 5% - a massive amount – of direct caregivers who may be forced out of LTC.

Policies that specifically target immigrants would trickle down to negatively affect nursing home residents who depend on these workers.

McKnight's, 03/28/2025

Whistleblower Protection for Nursing Home Residents

Illinois Gov. JB Pritzker has signed a bill into law designed to protect nursing home residents from retaliation if they report abuse or neglect.

The legislation will allow residents to file civil lawsuits against nursing homes if they are threatened or face retaliation for reporting actions that occur within the facility.

Nursing home residents will have up to two years to file lawsuits against their facility, licensee, or employees if they faced retaliation.

Nursing homes are required to annually notify residents regarding their rights regarding retaliation and how to make a complaint.

WAND-TV, 03/22/2025

ONE COLUMN

Nursing Home Sales Lead To More Patients, Less Staff

Nursing homes ownership changes were found to lower direct care staffing levels, with nurse staffing comprising the bulk of the decline.

Research showed that between January 2018 and June 2023, more than 2,500 SNFs changed ownership. Among those, the nursing homes took on an average of 2.36 more patients per day while also cutting staff by .07 hours per day – nursing staff by 0.09 per patient day.

As a result, non-nursing staff members saw a 0.02 increase in hours per resident day, and administrators' hours increased by 0.52 hours.

The report also found that private equity acquisitions in eldercare, inpatient services and pharmaceuticals increased by more than 250% over a decade.

SNFs that changed ownership didn't always lay off staff immediately or reduce their payroll costs, according to co-author Rachel Prusynski, assistant professor in the Department of Rehabilitation Medicine at the University of Washington. But their lack of effort to sustain existing nurse-patient ratios caused noticeable imbalances.

Staffing outcomes and other adverse results in LTC have been major stimulants in recent calls for increased transparency in nursing homes ownership, including from federal entities.

"[SNFs] did increase patient census soon after changing ownership, but did not keep up with staffing in order to maintain the same nurse-patient ratios as census increased," Prusynski said. "Our finding that contractor staffing didn't change after SNFs changed ownership also supports the explanation that there weren't immediate efforts to maintain the same staffing ratios as prior to ownership change."

A January report from the HHS said that growing consolidation and the lack of meaningful competition were key reasons for decreased patient care quality and caregiver well-being.

*Journal of Post-Acute and
Long Term Care Medical Association*

Big Bump for MA Plans Some Bennies for Providers

On a day when federal regulators announced a big jump in Medicare Advantage payments for fiscal 2026, long-term care stakeholders were still buzzing about provisions of the new MA final technical rule that was announced three days earlier.

While MA plans will enjoy a 5.06% (\$25 billion) raise from CMS in 2026, providers are taking satisfaction that payments they receive no longer can be clawed back retroactively, except in egregious cases of wrongdoing.

Operators also are coming to terms with the new administration's decision not to place tougher guardrails on the use of artificial intelligence by MA plans.

McKnight's, 04/08/2025

SNF Found Liable for Misdeed of Agency Aide

The Wyoming Supreme Court has reversed a lower court decision and ordered Legacy Living Center to pay \$660,000 to the estate of a resident, Margaret Wilkey, following a 2019 attack by an agency CNA.

Court records show that during the incident, agency aide Crystal Nelisse slammed Wilkey to her bed, then pinned her down using a bedsheet across her neck,

The state Supreme Court ruled that CNA Nelisse was under the "direction and supervision of The Legacy when rendering services" and acting as an agent of Legacy.

Bloomberg Law, 04/03/2025

Arizona Develops 'Micro Certificates' for CNAs

A new partnership between two Arizona institutions is looking to upskill local certified nursing assistants, while also eyeing national expansion to bolster the direct care-givers workforce.

The Arizona Health Care Association joined forces with Bryan University to develop "micro certificates" for CNAs who want to gain greater industry knowledge but remain in their current positions.

While conceptualizing, organizers found it imperative that course content be easily accessible by all students from their mobile devices. That way, they could complete each eight- to 12-hour-long course at their own pace.

McKnight's, 03/18/2025

Nursing Home Closures Create "Care Deserts" In NY

As New York's aging population grows, access to nursing home care is shrinking. Advocates warn that facility closures, staffing shortages and Medicaid underfunding are creating "nursing home deserts."

Advocates say reimbursement rates are so low that on average, facilities lose \$56 per resident day

The state has taken steps to address the issue by increasing Medicaid reimbursement rates by 10% over the past three years including a 7.5% recurring increase in 2024 and a one-time \$285 million investment slated for 2025.

Since 2019, the state has lost over 5,600 nursing home beds due to closures and de-certifications.

Spectrum News, 02/25/2025

Providers Lobby Lawmakers To Reform M'caid Funding

A bipartisan group of lawmakers joined skilled nursing facility administrators and industry leaders at the Illinois State Capitol to call for immediate action on Medicaid rate reform.

The group urged the General Assembly to pass SB1606/HB2858, which would update Medicaid reimbursement rates and bring in an additional \$200 million in federal Medicaid matching funds.

The legislation comes at a time when As in other states, Illinois nursing homes are experiencing extreme financial strain. Since 2017, costs for essential services such as food and supplies have risen 30% to 50% while Medicaid reimbursement rates have remained frozen at pre-pandemic levels.

Health Care Council of Illinois, 04/08/2025

Briefly in the News

Congress paved the way for deep cuts in healthcare spending as part of an effort to extend expiring tax cuts on Thursday. The House voted 216-214 to adopt the final version of the fiscal 2026 budget resolution, with GOP Reps. Thomas Massie (Ky.) and Victoria Spartz (Ind.) joining the Democratic minority in opposition. This followed a Senate vote to approve the budget on Monday and a House vote in February on the lower chamber's first draft of the measure. **(Modern Healthcare).**

Twenty people have been killed in a fire at a nursing home in Chengde in north-east China. Nineteen people survived the fire and were taken to hospital for observation. Authorities are investigating the cause of the blaze, and a person in charge of the home has been detained **(BBC).**

For decades, scientists have been on the hunt for an anti-aging drug. Now, some say we may have already found it. A fast-growing body of research signals potential health benefits of GLP-1s, the class of diabetes and weight-loss drugs known by names like Ozempic, beyond what they were initially approved to treat. That includes age-related conditions like Alzheimer's, osteoarthritis, certain cancers and even mortality **(The Wall Street Journal).**

The shortage of *semaglutide* injections (Ozempic, Wegovy) is over. The FDA and Novo Nordisk, confirmed that supply now meets or exceeds both the current and projected U.S. demand. The drug has been in shortage since August 2022 due to increased demand **(MedPage Today).**

The nursing home outlook has largely recovered since the days of the pandemic and now some lenders who've been out of the skilled nursing space or at least hesitant about deal-making there are once again accommodating some riskier scenarios to land the business of strong borrowers. A result of increased competition, he said, is that some lenders are taking on riskier deals to close a transaction or work with some stronger borrowers — the kinds of highly leveraged transactions that require significant management and monitoring **(Senior Living).**