

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

Edited by Drew Vogel

drewvogel5255@msn.com

Vol 9

04/20/2025

THEY SAID IT

"He's wrong" Paul Offit, the prominent vaccinologist at Children's Hospital of Philadelphia on RFK, Jr. saying respiratory vaccines targeting only one portion of the pathogen don't work

"The most effective way to prevent the spread of measles is the MMR vaccine" HHS Sec, Robeert F. Kennedy, Jr. who in general is anti-vaccine

"If they're able to pass the law for camera usage in common spaces, the next logical step was in resident rooms" Kevin Heffner, president and CEO of LifeSpan Network on failed Maryland bill that would have decreed cameras in comm on areas

Bill Mandating Cameras in Common Areas Fails But

A Maryland bill that would have required skilled nursing providers to pay for and maintain recording equipment in a facility's common spaces has been shot down.

Operators were pleased but some wonder if it was just a trial balloon run that will lead approval in the future.

Providers around the country have kept an eye on the Maryland effort because it went beyond the more common debate over families placing surveillance cameras in patient rooms.

LeadingAge estimated it would have cost each facility \$50k to \$200K to buy the equipment and \$40 to \$80k for annual storage and maintenance.

McKnight's, 04/17/2025

Put Employees' Withholdings In His Pocket – Going to Jail

A Florida man was sentenced to 18 months in federal prison for failing to send employees' withholding taxes to the IRS.

Paul Walczak controlled a network of interconnected health care companies which employed over 600 people.

DOJ said for more than a decade, Walczak was not compliant with his tax withholding obligations, i.e., Social Security, Medicare, federal income taxes from his employees' and the companies' portion of Social Security and Medicare taxes.

He used the more than \$10 million to buy a yacht and shop at retailers like Saks and Cartier.

DOJ news release, 04/11/2025

Deregulation gives SNFs a Chance to Dump Dumb Rules

Skilled nursing providers have a rare, month-long opportunity to appeal to the federal government for relief from "unsound" regulations — and the Trump administration appears exceedingly willing to listen.

OMB has formally published a request for information soliciting ideas for rules to be rescinded, and why.

While the request covers any regulated industry, healthcare is generally considered the nation's most regulated sector, with extra layers governing nursing home care.

PointClick Care's Eugene Gonsiorek's top idea for relief would be the repeal of the 3-day hospital stay requirement for skilled nursing coverage. He also suggested providers could target duplicative reporting requirements.

McKnight's, 04/14/2025

Lack of Staff Caused 2-Week Wait for a Shower

So few nurses and nursing assistants worked at Greenfield Healthcare and Rehabilitation Center in Erie, PA over the winter that residents waited at times an hour after they pressed the call light and to wait two weeks for a shower.

facilities have been required to provide at least 3.2 hours PPD. The staffing minimums for nursing assistants are now one for every 10 residents during the day, 01-11 evenings, and 1-15 overnight.

Greenfield, was cited by State regulators since July for failing to meet its updated minimum staffing levels for nurses and nursing assistants.

Erie Times-News, 04/14/2025

Training Providers And Surveyors Together

A bill to improve communication between long-term care providers and state regulators has advanced through the Illinois House Human Services Committee.

House Bill 3428 would require joint training sessions twice a year between assisted living and nursing home staff and Illinois Department of Public Health surveyors. The sessions would address quality of care and potential violations.

The measure is an attempt to align providers and regulators to improve patient outcomes.

The bill now heads to the House floor for further consideration.

Skilled Nursing News, 04/03/2025

Law Would Let Disabled Folks Receive Care at Home

A new bill making its way through the Colorado legislature seeks to protect the rights of people with disabilities to live and receive care in their own homes.

The bill would codify into Colorado law the protections established by the landmark 1999 Supreme Court case *Olmstead v. L.C.*, which ruled that unjustified segregation of people with disabilities is discrimination under the Americans with Disabilities Act (ADA).

A DOJ investigation found that Colorado was failing to provide adequate community-based services, often forcing people with disabilities into nursing homes or institutions due to a lack of support for in-home or community care.

KMGH-TV, 04/13/2025

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

THE PENTAGON: The Department of Defense is reaching out to some 8,700 ex-service members who were forced out of the military over the Defense Department's COVID-19 mandate during the Biden administration, offering them their old jobs and the back pay they lost. The former military personnel, some of whom were close to retirement when they were booted out, also will receive formal letters of apology because of what they went through (*The Washington Times*).

CHINA: In a report from the Pentagon, seven U.S. service members exhibited "COVID-19-like symptoms" during or after their return from the 2019 World Military Games in Wuhan, China. The symptoms all resolved within six days. The service members were not tested for COVID-19 because "testing was not available at this early stage of the pandemic." The report is believed to have been concealed by the Biden Administration and adds to the projected timeline of the pandemic (*The Hill & NewsNation*).

AMERICA: Director of National Intelligence Tulsi Gabbard has revealed a new government task force, known as the Director's Initiatives Group, will consider big changes to America's intelligence community and examine whether material about the origins of COVID-19 and other topics of public interest should be declassified (*AP*).

WASHINGTON, D.C.: Two months after confirmation as HHS Sec. Bobby Kennedy, Jr. is sounding like his old self again. He's back to suggesting without evidence that some vaccines are risky, arguing that others don't work, promoting fringe treatments for a vaccine-preventable disease, calling the FDA a "sock puppet" for the industries it regulates, and calling the state of a key U.S. vaccine safety system (*Stat*).

MEXICO: A 3-year-old girl from the western state of Durango is Mexico's first confirmed human case of bird flu. A H5N1 influenza has been spreading through animals and some people in the United States. There have been 70 cases in that country since during the past year, although researchers and studies suggest that's likely an undercount (*AP*).

AMERICA: A recent study indicates although overall flu vaccination rates didn't change much between 2019 and 2022, during that time more black (from 66.9% in 2019 to 70.7% in 2022) and Hispanic (from 72.7% in 2019 to 75% in 2020) older adults received flu shots, especially if they lived in rural areas of the United States. On the other hand, flu vaccination rates went down for some white older adults (*JAMA Network Open*).

WASHINGTON, D.C.: Health Secretary Robert F. Kennedy Jr. has a lot of unorthodox ideas about vaccines, this week, he unveiled a new one: The idea that respiratory vaccines targeting only one portion of the pathogen don't work. Kennedy made the claim when pressed on why political appointees at the FDA delayed granting full approval to Novavax's Covid-19 vaccine, which is currently under emergency use authorization. Experts to a man disagree. The original Covid-19 shots targeted a single protein and proved highly effective (*Stat*).

TEXAS: The Texas Department of State Health Services said the measles outbreak in western Texas continues to grow, with 561 confirmed cases, according to new data published Tuesday. This is an increase of 20 new cases over the last five days. Almost all of the cases are in unvaccinated individuals or in individuals whose vaccination status is unknown (*ABC News*).

WASHINGTON, D.C.: Tracy Beth Høeg, MD, PhD, who was named a special assistant to new FDA Commissioner Marty Makary, MD, MPH, previously opposed some health policies during the COVID-19 pandemic and has questioned the use of some childhood vaccines. Recent research by Høeg, a sports medicine physician and

epidemiologist, includes an examination of visitation restrictions for COVID patients, which showed that current data do not support a net benefit of such restrictions (*MedPage Today*).

SOUTH AFRICA: In 1959, researchers built a facility near Pretoria to study the

airborne route of tuberculosis transmission, replicating an experiment first done in Baltimore. Now researchers, from Tulane University, have used the South African Airborne Infections Research (AIR) facility to illustrate human-to-animal transmission of SARS-CoV-2, the virus that causes COVID-19, through a building's ventilation system (*Open Forum Infectious Diseases*).

VARIOUS STATES: Federal funding cuts, though temporarily blocked by a judge, have upended vaccination clinics across the country, including in Arizona, Minnesota, Nevada, Texas, and Washington state, amid a rise in vaccine hesitancy and a resurgence of measles (*KFF Health News*).

AMERICA: As the Trump administration moves to dismantle international public health safeguards, pull funding from local health departments and legitimize health misinformation, some experts now fear that the country is setting the stage for a long-term measles resurgence. If federal health officials do not change course, large multistate outbreaks like the one that has torn through West Texas, jumping to neighboring states and killing two people, may become the norm (*Politico*).

THE WORLD: Five years ago, the COVID-19 pandemic first swept across the U.S., infecting millions and claiming hundreds of thousands of lives. Scientists are already concerned about the next airborne threat, but in the future, a powerful new weapon may be waiting in the wings. Far-UVC light is a form of ultraviolet light that can kill viruses and bacteria in the air without harming humans. (*CBS News*).

COVID-19, 04/10/2025

World Total Cases
777,691,501

World Total Deaths
7,093,267

U.S. Total Deaths
1,221,449

World Health Organization

Despite a Cut in Pay for SNFs Some Positive Surprises

Despite an underwhelming 2.8% Medicare Part A proposed pay raise, nursing home advocates found reason to be encouraged on several other fronts after the fiscal 2026 SNF PPS rule was released last week.

ADVION CEO Cynthia Morton. She was encouraged by a provision in the proposed rule that probes into providers' health information technology usage.

A handful of newly proposed provider pay rules released late Friday included the specific request for information on Medicare deregulation across three main categories: streamlining requirements, reducing administrative burden of reporting and documentation, and identifying duplicative requirements.

McKnight's, 04/14/2025

Providers Question New Survey "Strike Force"

Several Maryland state agencies have banded together to form what they call a "strike force" to uncover and respond to "systemic failures" in long-term care.

The new law enforcement unit is a direct result of an investigation into a nursing home that was fined \$1.3 million when found to be providing fraudulent care to Medicaid beneficiaries.

Severe understaffing, wound care and preventable falls were uncovered during the investigation.

LTC executives, however, citing the fact that Maryland is already years behind of surveys, question the need for such a task force.

McKnight's, 04/14/2025

Ohio Seeks to Cut 23,000 Private Rooms

In December 2023, Ohio's Department of Medicaid was able to bypass a typical waiting period due to an emergency timing factor, allowed it to approve private rooms in nursing homes for state Medicaid residents.

The budget bill seeks to cap private nursing home rooms at 5,000, which

providers say isn't a viable. Some 28,000 private rooms had previously been approved.

Ohio Health Care Association CEO Pete Van Runkle believes there could be a misunderstanding among lawmakers.

"There may be some confusion about how private rooms really work. They're not limited to Medicaid beneficiaries," he said.

McKnight's, 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

Measles Cases Climbing Providers Should Be Vigilant

Providers should be assessing their direct care teams for measles immunity and promoting measles vaccination. the number of cases now having passed 700 in 25 states reporting outbreaks.

The CDC reported that over 700 cases were being tracked from Alaska to Florida as of last week, with the bulk of the outbreak still centered in and around Texas.

Typically, elderly people would have immunity against measles given broad exposure in the decades before vaccines began. People born after 1957 and vaccinated before 1968, however, may need additional shots; those vaccinated between 1968 and 1989 also may need a booster.

McKnight's, 04/17/2025

ONE COLUMN

MedPac Looking for Solutions 5-Star May Be on the Block

The Medicare Payment Advisory Commission has begun long-term work that could culminate in a recommendation for a new system to assess, incentivize and publicly rate quality of care.

Their concerns were fueled by a recent report from MedPAC Principal Analyst Carol Carter.

She noted that two decades of reports from the Government Accountability Office and the Health and Human Services Office of Inspector General had done little to actually improve nursing home quality.

Neither have the Care Compare consumer-facing website nor its Five-Star rating system or internal payment incentives available to providers for meeting quality benchmarks.

"While there have been improvements in some areas," Carter said, "especially when there's been focused attention on a specific problem such as the use of antipsychotic medications or restraints, the overall quality remains a persistent problem."

MedPAC Commissioner Tamara Konetzka, PhD of the University of Chicago has deeply studied incentives, quality metrics and payment policies in the long-term and post-acute sector. She called out CMS for being unable to address the worst performing nursing homes, but also for building a system that allows many nursing homes to stay in business while performing below expected minimums.

She said care has been "in crisis for nearly 40 years. "There's always this sort of lower-tier nursing homes in particular, where some really horrible things happen, some really bad examples of neglect and abuse and it's been a struggle over the years to raise that lower tier."

On star ratings, Konetzka called for policymakers to "start over," reconstructing metrics and how specific items are weighted. She pushed for a system that would emphasize staffing as a highly important component.

McKnight's, 04/15/2025

Picket Signs A-Plenty In Western New York SNFs

Union members picketed two New York nursing homes during the week.

The move by 1199SEIU is part of a larger campaign regarding Western New York nursing homes and comes as the union engages in contract talks.

According to the union, more than 4,000 employees across 27 different caregiving facilities are involved in the campaign.

The union started picketing care facilities across Western New York last week seeking the standard improvements of wages and working conditions.

The Observer, 04/15/2025

A Pandemic Treaty – Everyone in But the U.S.

Five years after COVID-19 triggered national lockdowns, economic uncertainty and killed millions, the WHO's member countries agreed on a draft "pandemic treaty" that sets guidelines for how the international community might avoid COVID-19 mistakes and confront the next global health crisis.

Negotiations concluded on an agreement expected to be adopted next month at the U.N. health agency's annual meeting in Geneva.

Following U.S. President Donald Trump's decision to withdraw the country from the WHO in January, American officials were barred from participating in the talks and are not expected to sign the treaty.

Associated Press, 04/16/2025

SNF Owners Must Pay Staff Unused PTO

An administrative law judge found the previous owners of Krystal Bay Nursing and Rehab Center in the Miami-area engaged in unfair labor practices by failing to honor an 1199 SEIU collective bargaining agreement and refusing to pay unit employees accrued PTO as of their dates of termination.

The union previously complained the company violated the contract by failing to tell employees about new ownership.

Krystal Bay may have closed for a time. The ruling cites the "cessation of operations," but a website indicates a SNF is now operating at the same address by a different company.

McKnight's, 03/21/2025

Cyber Thieves Target SNFs In Several Recent Attacks

Long-term care facilities and other places caring for seniors and individuals with disabilities have been the recent target of a string of cyber-attacks impacting more than 130,000 people.

The largest nursing home cyber-attack recently reported involved North Carolina's Hillcrest Convalescent Center when a data breach obtained sensitive information for 106,000 people.

Hackers extracted critical information, including victims' names, date of birth, Social Security number, medical information, health insurance information, healthcare provider information and more.

McKnight's, 03/25/2025

Study: SNFs Can Do Better with CPR

With healthcare staff readily available in nursing homes, the number of resuscitation attempts prior to the arrival of emergency responders should be 100%.

However, after assessing the rates of CPR and AED applications performed on out-of-hospital cardiac arrest nursing home residents over an eight-year period, researchers found only 82% of residents received CPR and just 28% received an AED application.

All cardiac arrest residents were resuscitated when emergency responders arrived at the nursing home.

Researchers say findings draw attention to the need for better basic life support training for direct caregivers.

Resuscitation Plus, March 2025

Briefly in the News

Health insurer stocks soared when the Trump administration said it would substantially increase payment rates for Medicare insurers next year, generating more than \$25 billion in additional revenue for the industry and doubling the boost proposed in January. The news led to a rally in the shares of big Medicare insurers such as UnitedHealth Group (up 8%), Humana (11%) and CVS Health (9.5%)., parent of Aetna. Shares in UnitedHealth rose 8% in morning trading, while Humana was up more than 11% and CVS increased 9.5% (***The Wall Street Journal***).

The administration is considering killing some panels of outside experts that advise the CDC on key health threats like HIV and avian flu. an email, sent to CDC leaders, said the HHS is "recommending termination" of the panels that are /not mandated by law. The email said CDC leaders would need to justify keeping the committees (***Politico***).

More healthcare leaders are planning to leave their organizations in the next year, according to a survey from B.E. Smith, a member of staffing group AMN Healthcare, which focuses on leadership positions. The survey of 588 healthcare leaders, ranging from managers to C-suite executives, shows that 46% of respondents intend to leave their organizations within the next 12 months, compared with 41% in 2024 (***Modern Healthcare***).

The Centers for Medicare and Medicaid Services (CMS) is urging states to not use Medicaid funds for gender-affirming care for minors, specifically gender reassignment surgeries or hormone treatments. "As a doctor and now CMS Administrator, my top priority is protecting children and upholding the law," said Mehmet Oz, the recently confirmed agency head (***The Hill***).

AstraZeneca Plc' Chairman Michel Demaré said tariffs on pharmaceuticals would hurt patients and drugs should be exempt from these levies. US President Donald Trump has warned that tariffs on pharmaceutical companies, which weren't part of the so-called reciprocal tariffs he imposed and then paused, are imminent (***Bloomberg***).