

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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Vol 9

05/18/2025

THEY SAID IT

"No one has talked about cutting one benefit in Medicaid (to a beneficiary) who is duly owed" House Speaker Mike Johnson on Medicaid's future in the new yet-to-be-passed budget

"We are encouraged that we continue to see a steady increase in the growth of our workforce. But even now, five years later, the sector still has not fully returned to pre-pandemic levels"
Holly Harmon, senior V-P AHCA/NCAL

"Across the country, for-profit and private equity-owned nursing homes are operating with skeleton crews and dramatically reducing quality of care"
Rep. Alexandra Ocasio-Cortez (D-NY)

NY Nursing Home Workers May Strike This Week

Weeks after the nation's largest healthcare workers union held several informational pickets across western New York, it has now set a date for an actual strike if members' demands aren't met.

Nearly 2,500 RNs, CNAs and other direct caregivers could be headed to a weeklong strike, scheduled to begin next Tuesday, if the nursing homes where they work can't reach an agreement with 1199SEIU United Healthcare Workers East.

Last week 10-day strike notices were sent to 15 nursing homes, and since then one facility has settled with the union, leaving 14 facilities in still negotiations.

McKnight's, 05/13/2025

Committee Proposes 10-Year Delay To Staffing Mandate

A congressional committee has proposed delaying further implementation of the nursing home staffing mandate for 10 years as part of a major budget reconciliation bill. It would be big win for providers.

The package also would halt states from enacting more provider taxes, a potential setback for skilled care operators and the states that benefit from the enhanced federal matching funds they produce.

The bill charges HHS with delaying until Jan. 1, 2035 "implementation, administration, or enforcement" of the Medicare and Medicaid Programs; Minimum Staffing Standards for Long-term Care Facilities and Medicaid Institutional Payment Transparency Reporting.

McKnight's, 05/12/2025

Dems Tried and Failed To Eliminate Staffing Rule

Despite the multiple avenues open for defeat of the federal nursing home staffing rule, AARP and some Democrats continue to fight for implementation of the minimum staffing rule.

During the week, AARP asked lawmakers to retract the inclusion of a 10-year moratorium on the nursing home rule.

Calling the nursing home mandate "long overdue," AARP said it was "deeply concerned about delaying the rule until 2035," as proposed by Republican leaders.

The amendment to keep the staffing rule on the books was ultimately voted down, making it one of 100 failed Democratic amendments.

McKnight's, 05/16/2025

Republicans Propose Paring Medicaid Coverage

House Republicans released a plan that would cause millions of poor Americans to lose Medicaid coverage and millions more to pay higher fees when they go to the doctor.

The proposal, which is one piece of a sweeping bill to enact President Trump's domestic agenda, including large tax cuts and increased military spending, omits the structural changes to Medicaid that ultraconservative Republicans have demanded.

Instead, it bows to the wishes of a group of more moderate and politically vulnerable G.O.P. lawmakers whose seats could be at risk if they embraced deep Medicaid cuts.

New York Times, 05/12/2025

Laid Off FDA Workers Have been Re-hired

The FDA has rehired at least some workers tasked with releasing public records generated by the agency's regulatory activities.

The workers were told to return to their jobs immediately.

Workers who process records about medical devices and tobacco regulation under the Freedom of Information Act received notices from an FDA official May 1 that they were no longer being fired as part of the department's mass layoffs.

The recall reverses firings carried out roughly a month ago by the HHS, which oversees the agency.

KFF Health News, 05/02/2025

FDA Clears First Blood Test for Alzheimer's

A first-of-its-kind blood test used to detect amyloid plaques associated with Alzheimer's disease has been cleared by the FDA.

The test is designed for people ages 55 and older who have signs and symptoms of the disease.

"The FDA clearance of a first blood test, the Lumipulse plasma assay, to detect Alzheimer's marks a major milestone for patients and clinicians. It comes at a pivotal time as the number of people developing the disease continues to increase exponentially," noted Howard Fillit, MD, chief science officer of the Alzheimer's Drug Discovery Foundation.

MedPage Today, 05/16/2025

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

AMERICA: Moderna's combined COVID and flu shot outperformed the existing standalone vaccines for both viruses, according to the results of a phase 3 clinical trial. The vaccine uses the same messenger RNA technology as Moderna's approved COVID vaccine. (There are no approved mRNA-based flu shots.) (*Journal of the American Medical Association*).

AMERICA: The CDC confirmed the measles outbreak has surpassed 1,000 cases, a grim milestone that has only been achieved twice in the last 30 years. Three people have died in the outbreak. Children under 5 account for roughly one-third of the 1,001 cases. Nearly all patients – 96 % – were unvaccinated or had an unknown vaccination status (*Politico*).

NORTH DAKOTA: Measles cases continue to accumulate in the United States in what is already the second-worst year since the disease was declared eliminated a quarter-century ago. Now, a recent outbreak in one North Dakota county has led local health officials to quarantine nearly 200 unvaccinated students (*CNN*).

CALIFORNIA/NEVADA: At least 10 people in the U.S. have been sickened in a listeria outbreak linked to ready-to-eat food produced by Fresh & Ready Foods LLC of San Fernando, California. The company is voluntarily recalling several products. The FDA says the 10 people who fell ill required hospitalization (*AP*).

AMERICA: Whooping cough cases are soaring in the U.S. as the Trump administration's cuts to federal health agencies and funding destabilize programs that monitor disease and promote vaccination. CDC data shows the U.S. has tallied 8,077 cases of whooping cough so far in 2025, compared with 3,847 cases in the same period last year (*The Washington Post*).

WASHINGTON, D.C.: When Marty Makary was tapped to lead the Food and Drug Administration, public health experts hoped the Johns Hopkins physician would shield the agency from the vaccine criticism of his boss, health secretary

Bobby Kennedy Jr. So far, that hasn't been the case. Instead, Makary seems just as willing to use his power and position to more harshly scrutinize vaccines and to shift vaccination policy (*Stat*).

FLORIDA: The confirmation of two recent tuberculosis cases in South Florida is prompting health officials to keep an eye out for a developing trend. The first case of active TB was reported in a high school student in Fort Lauderdale on April 29. Health officials immediately began reaching out to those who were directly impacted. A few days later, tuberculosis was found in an inmate at a federal detention center in Miami (*Health News Florida*).

WASHINGTON, D.C.: The FDA said will hold a meeting of experts on May 22 to discuss COVID-19 vaccine recommendations for the upcoming immunization campaign. The meeting comes after the appointment of Martin Makary as FDA commissioner. Makary had earlier raised concerns about a number of public health efforts during the COVID-19 pandemic, touted the protection received from natural immunity and opposed vaccine mandates for the general public (*Reuters*).

THE WORLD: A study of the single-dose respiratory syncytial virus (RSV) vaccine in older adults shows that vaccine efficacy waned across three RSV seasons but suggests a booster vaccination dose 1 year after initial vaccination did little to provide additional efficacy. The study, a phase 3 clinical trial on GSK's Arexvy (adjuvanted RSV prefusion F protein-based vaccine [RSVPreF3 OA]), was recently published (*Lancet Respiratory Medicine*).

EUROPE: Measles cases across Europe were up 10-fold in 2024 compared to 2023, while cases in the Americas so far this year are 11 times higher, 2024, a total of 35,212 measles cases were reported across the European region, compared to 3,973 in 2023. The reports come as US states continue to confirm more infections (*ECDC & WHO*).

ENGLAND/SINGAPORE: The University of Cambridge-based DioSynVax and Singapore's ACM Biolabs have signed a deal to jointly develop a next-generation universal avian flu vaccine with the potential for mucosal delivery. The mRNA vaccine targets all major clades of the H5 avian flu subtype and is scalable for rapid, global distribution, according to a press release from DioSynVax. Delivery via a nasal spray could help increase uptake of the vaccine (*CIDRAP News*).

WASHINGTON, D.C.: In a shift away from next-generation Covid-19 vaccines, the Trump administration is investing \$500 million in a vaccine project championed by two scientists who were recently tapped to serve in senior roles within the National Institutes of Health. The unusually large sum comes as the nation's health agencies are cutting budgets, shrinking staff and terminating hundreds of active research grants (*The Wall Street Journal*).

AMERICA: Without evidence, anti-vaccine lawyer Aaron Siri and activist Del Bigtree have claimed on the internet show "The HighWire" that the CDC scattered the vaccine safety data (VSD) after Kennedy took office, making it unavailable for Kennedy's team to examine. The goal, according to Siri, was to "thwart the ability for the current administration to actually conduct a study in the VSD." (*NBC News*).

THE WORLD: Receiving an influenza vaccine with or without a co-administered COVID-19 vaccine was associated with a small and temporary – but meaningful – change in the menstrual cycles of regularly menstruating women. The study was based on data collected from an English-language digital birth control app used globally (*JAMA Network Open*).

COVID-19, 05/16/2025

World Total Cases
777,745,434

World Total Deaths
7,095,349

U.S. Total Deaths
1,223,101

World Health Organization

Nursing Home Workforce Continuing to Grow

The skilled nursing workforce has picked up just under 3,000 new workers since March and 46,000 since April last year.

but nursing homes actually underperformed compared to recent averages, and especially compared to a gain of 11,300 jobs reported in March.

The sector is still not attracting workers with the speed needed to restore access to long-term care in many communities or to prepare facilities for an expected crush of new residents in the coming years.

Overall, healthcare added 51,000 jobs last month, about the same as the average monthly gain of 52,000 over the prior 12 months.

McKnight's, 05/04/2025

Keeping Maine Veterans Homes Solvent

CEO Brad Klawitter told a recent hearing that Maine Veterans' Homes, a nonprofit health care provider offering residential care for veterans and their spouses, could be insolvent in two years unless lawmakers approve more than \$4 million in funding,

The requested state funding of about \$4.26 million would draw a federal match of \$6.97 million, for a total of about \$11.2 million.

The legislation would establish reimbursement rates for Maine Veterans' Homes under MaineCare, (Medicaid), on a per resident daily basis, which state officials said would set them apart from what other nursing homes receive.

The Maine Monitor, 04/13/2025

Avoiding Claim Denials But TPE no Tea Party

The improper pay rate across SNFs jumped from 13.8% in 2023 to 17.2% last year, resulting in more facilities receiving "invites" from CMS to participate in its mandatory TPE - Targeted Probe and Educate program.

CMS focuses on providers and suppliers who have been identified through data analysis as being a potential risk to the

Medicare trust fund or who significantly vary in their billing from their peers.

Triggers are unusual billing practices, such as labeling all residents with the same primary diagnosis code, high facility claim error rates, and entering items and services that have high national error rates.

McKnight's, 04/30/2025

State Considers \$47M Cut To SNF Payment System

Legislators in Minnesota are debating deep cuts to the state's human services budget, largely impacting nursing homes, to make up for a \$6 billion budget deficit.

The state's House and Senate have until May 19 to agree on final cuts.

The Senate's version of the budget has \$47 million in nursing home payment system changes.

House cuts include \$427 million for long-term care waivers and would also raise hourly rates for nursing home staff by \$1.50 beginning in 2027 while also requesting an \$18 million increase for nursing facility payment rates.

Skilled Nursing News, 05/12/2025

The Ten Worst States For Nursing Home Care

New research has ranked states in the U.S. based on data from nursing facilities that reported deficiencies to assess care quality. This reveals how many states are failing to provide quality care.

Injury lawyer Bader Scott, examined data on nursing facilities that mentioned deficiencies and determined that California, Washington and New Mexico are the states with the worst-rated nursing homes.

The study used the number of facilities that acquired a deficiency in various categories to calculate a weighted average rate of deficiencies for each state.

West Virginia, Maryland, Nevada, Oregon, Hawaii, Missouri, Michigan round out the top (or bottom) ten.

Digital Journal, 04/13/2025

ONE COLUMN LTC Organizations Plea For Regulatory Relief

CMS' staffing mandate and excessive civil money penalties are major deregulatory points that leading provider groups took aim at in appeals to OMB last week.

"The regulatory changes we recommend help put patients over paperwork, modernize care delivery, advance workforce development efforts, encourage innovation, streamline reporting requirements, and ensure government accountability and transparency," said Holly Harmon, senior vice president of quality, regulatory and clinical services at AHCA/NCAL.

A bill that proposed delaying further implementation of the nursing home staffing mandate for 10 years moved out of the House Energy and Commerce Committee Wednesday after a marathon 26-hour mark-up session.

One of the changes that LeadingAge CEO Katie Sloan proposed was eliminating the minimum staffing mandate, one of the measures that "fail to reflect the needs and realities of aging services providers."

Both organizations said Civil money penalties issued by CMS to providers for non-compliance need to be revisited.

LeadingAge sought to eliminate punitive overreach by CMS and state survey agencies that issue multiple penalties, which cause "undue financial burden on nursing homes.

"Allowing CMS or the state to impose multiple penalties on the nursing home for non-compliance creates barriers to quality improvement," Sloan said.

AHCA, on the other hand, proposed several improvements for imposing CMPs, including:

- Allowing CMP funds to be used by facilities to correct CMP-associated deficiencies.
- Bypassing CMPs for a facility's self-reported incidents, and
- Only assessing CMPs when operators fail to submit plans of correction and/or reach compliance by the first revisit.

McKnight's, 05/15/2025

Facility Bankruptcy Not Good for Resident Care

Even when bankrupt nursing home facilities remain open, workforce disruptions and declines in care quality often increase due to higher turnover and greater reliance on agencies.

These are the findings of a report from the National Bureau of Economic Research.

Bankruptcies were linked to measurable declines in care quality. Hospitalization rates increased by 1.44%, or 4% of the mean, use of physical restraints jumped 77%, and incidence of bedsores rose by 14%.

In the year after bankruptcy, worker departures rose by 10%. Replacement new hires tended to be contract workers, resulting in staff less experienced and less connected to residents.

Skilled Nursing News, 05/16/2025

Nurse Attacked for No reason at All

A woman was arrested after allegedly choking and assaulting a University of Louisville Hospital nurse.

The nurse was making her rounds when 35-year-old Mykeisha Johnson allegedly attacked her, slamming her to the ground and hitting her on the face and body.

After she was arrested, Johnson told police she assaulted the nurse despite her not doing or saying anything to provoke the attack.

Johnson said she was angry at the staff for taking too long to discharge her so she attacked the first person available.

WDRB-TV, 05/03/2025

Independent Pharmacists Wary of Possible Tariffs

Squeezed by insurers and middlemen, independent pharmacists such find themselves on the front lines of a tariff storm. Nearly everyone – drugmakers, pharmacies, wholesalers, and middlemen – oppose most tariffs.

Slashing drug imports could trigger widespread shortages, experts said, because of America's dependence on Chinese- and Indian-made chemical

ingredients, which form the critical building blocks of many medicines.

In April President Trump said he would soon announce “a major tariff on pharmaceuticals,” which have been largely tariff-free for 30 years.

The U.S. imported \$213 billion worth of medicines in 2024 — from China but also India and Europe.

NPR, 05/16/2025

Trauma Care Toolkit First Specifically For SNFs

Researchers have created a toolkit on providing trauma-informed care in nursing homes, a first in LTC.

CMS requires providers to be informed and demonstrate knowledge of trauma-informed care.

Leaders from the Virginia Commonwealth University College of Health Professions' Department of Gerontology and Virginia Center on Aging said the free toolkit was inspired by the hands-on work of certified nursing assistants and informed by real nursing home staff.

The new toolkit is backed by gerontological research and includes guidebooks, assessments, podcasts and other resources that help nursing homes staff strategize on how to best implement trauma-informed care.

McKnight's,

Legislative Approval, Montana Revamping Behavioral Health

Montana lawmakers approved about \$124 million in state spending and up to \$40 million in federal funds over the next two years for behavioral health services.

Behavioral health in Montana is still recovering from past budget cuts.

The new funds will see the construction of a new mental health facility, add more beds to existing facilities, fund more crisis beds, and reimburse counties when criminal defendants ordered to state facilities are held in county jails.

The state has been working to regain federal certification of the state psychiatric hospital, lost after a spate of patient deaths.

KFF Health News, 05/02/2025

Briefly in the News

Orlando Health must pay \$45 million to the family of a Central Florida father of six who died of a heart attack after the company delayed transporting him from one its smaller hospitals to Orlando Regional Medical Center. James Sada, 55, died July 26, 2020 at ORMC. The suit argued that Orlando Health should have transferred him to a competitor's hospital rather than wait until its helicopter crew could airlift him to its trauma center in Orlando (**Orlando Sentinel**).

The maker of an at-home cervical cancer screening test said Friday it has won approval from the FDA, giving patients an alternative to in-clinic pap smears. The screening test, called Teal Wand, from the women's health company Teal Health, is available for those aged 25 to 65 at average risk. (**CBS News**).

Nursing home workers and members of 1199SEIU United Healthcare Workers East in 15 nursing homes are planning to strike the week May 20 if a contract cannot be reached (WIVB-TV).

As struggling drugstore chains work to regain their footing, Walgreens is doubling down on automation. The company is expanding the number of retail stores served by its micro-fulfillment centers, which use robots to fill thousands of prescriptions for patients who take medications to manage or treat diabetes, high blood pressure and other conditions (**CNBC**).

Physicians and other healthcare workers at PeaceHealth facilities in Washington state are on strike this week, calling for better working conditions and wages, among other demands. The group includes about 40 physicians and 100 advanced practice clinicians, as well as hundreds more healthcare workers -- such as CNAs housekeepers, phlebotomists, and imaging technicians (**MedPage Today**).

Dr. John Whyte has been tapped as the next CEO and executive vice president of the American Medical Association. Whyte, who specializes in internal medicine, will assume the role July 1. will succeed Dr. James Madara as CEO, who has held the position since 2011 (**Modern Healthcare**).