

IN THE NEWS

News for LTC Professionals
in 100 Words-or-Less

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THEY SAID IT

"The quality of care provided in many nursing homes is a long-standing problem" MedPAC Executive Director Paul Masi

"We have an inconsistent and ineffective oversight system that does not drive quality improvement among nursing homes or enhance the quality of life for residents" AHCA President and CEO Clif Porter to preface his group's submission of wanted changes to HHS

"Measles can spread quickly in summer camps because campers and staff spend a lot of time together in close contact with each other" DC warning in a "checklist" for operators of summer camps

Slain, Attacked Lawmakers "Champions" of Elder Care

Two democratic Minnesota lawmakers targeted in separate assassination attempts last weekend have been praised for their support of older adult causes by both Minnesota provider associations.

Rep. Melissa Hortman and her husband, Mark, were shot and killed at their home.

Sen. John Hoffman, named a 2025 LeadingAge Minnesota Public Official of the Year, and his wife, Yvette, were attacked in their home around 2 a.m. Saturday, surviving despite being shot at least eight times each.

Gov. Tim Walz, also a democrat, described the attacks as politically motivated.

After an extensive manhunt, a suspect was apprehended late last Sunday.

McKnight's, 06/17/2025

Federal Judge Vacates Biden's 24/7 RN Mandate

Iowa federal Judge Leonard T. Strand struck down the Biden-era nursing home staffing mandate's demands that a registered nurse be on duty 24/7 every day of the year, as well as calls for specific levels of nurse hours per day per patient.

The ruling gives nursing home operators another significant court victory in their drive to have the first-ever federal nursing home staffing mandate struck down.

It comes after a similar lawsuit filed by the American Health Care Association in Texas also wound up with the staffing mandate being tossed on essentially the same grounds.

McKnight's, 06/20/2025

A Staffing Issue – Courtesy Of the Trump White House

The immigrants caring for the nation's elderly are losing their jobs – deported by the federal government.

The numbers are daunting. Foreign-born workers include more than 41% of home health aides, 22% of nursing assistants are foreign-born, and 28% of personal care aides.

Further, LeadingAge data indicates foreign-born workers make up 30% of the nursing home housekeeping and maintenance workforce.

Example: Last week a senior living facility in Boca Raton, Florida learned the permission to work in the U.S. had been revoked for ten employees. They were all terminated.

"It felt like a funeral," CEO Rachel Blumberg said.

AXIOS, 06/18/2025

CMS Resists Call for More Intense Use Of Staffing Data

HHS is not pursuing requests from the OIG to more deeply analyze facility staffing levels and notify states of more likely cases of apparent understaffing.

Providers currently are cited only when they self-report zero RN hours for four days or more over a three-month period.

A top CMS official said the agency agrees that notifying states about facilities that don't have an RN on-site for eight hours on a given day would increase the number of citations but would also be "overly burdensome" on state surveyors.

McKnight's, 06/10/2025

CMS Says Major Changes Coming To Care Compare

CMS will eliminate the old, third-cycle (last three annuals) inspection results from its health inspection rating in favor of a two-cycle system.

The agency said ratings will not change for about 80% of facilities. Ratings for the other 20% will shift up or down, depending on whether their two most recent surveys are better than their oldest one.

It will continue to use a three-year lookback for complaint and infection control inspections surveys.

To "increase the transparency" of ownership, starting July 30, CMS will also publish the average overall 5-star ratings, for each chain directly on Nursing Home Care Compare.

McKnight's, 06/18/2025

GOP Plan Spares SNFs From Provider Tax Cuts

Senate Republicans are pushing a proposal to scale back Medicaid provider taxes to help fund a sweeping budget package.

In the Senate version of the "big, beautiful bill" Republicans are pushing a proposal to scale back Medicaid provider taxes to help fund a sweeping budget package – but nursing homes and intermediate care facilities would be exempt from the cuts.

A committee draft proposes gradually reducing the maximum provider tax rate in Medicaid expansion states from 6% to 3.5% between 2027 and 2031. The policy shift aims to generate significant federal savings by curbing Medicaid spending growth, a long-standing conservative goal.

Skilled Nursing News, 06/17/2025

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

VARIOUS COUNTRIES: An analysis of 11 studies suggests that 20% of patients, most with severe COVID-19, had at least one symptom 3 years after infection, primarily fatigue, sleep disturbances, and shortness of breath. The studies, which reported data from 142,171 long-COVID patients aged 36 to 86 years (87% men), were conducted in Bulgaria, China, Japan, Italy, Romania, and the U.S. (*CIDRAP*).

TEXAS: An unvaccinated adult in Bell County, Texas, located in the central part of the state, became the county's first measles case. The route of exposure is unknown, and county health officials said they are investigating any potential community exposures, including identifying whether the person recently traveled internationally or domestically (*CIDRAP*).

AMERICA: As measles cases rise to precipitously high levels in the US this year, there's a new tool to help track the spread: wastewater. Wastewater surveillance rose to prominence during the Covid-19 pandemic, as testing sewage for virus particles helped provide early warning signs of increased transmission and fill the gaps as case reporting scaled back. Now as measles cases rise to precipitously high levels in the US this year, wastewater testing is being used to help track the spread (*CNN*).

WASHINGTON, D.C.: There was a notable absence recently when HHS Sec. Bobby Kennedy Jr. announced in a 58-second video that the government would no longer endorse the COVID-19 vaccine for healthy children or pregnant women. The director of the CDC the person who typically signs off on federal vaccine recommendations – was nowhere to be seen. The CDC, a \$9.2 billion-a-year agency tasked with reviewing life-saving vaccines, monitoring diseases and watching for budding threats to Americans' health, is apparently without a clear leader (*AP*).

DENVER: The Colorado Department of Public Health (CDPH) and their partners in El Paso and Arapahoe counties have reported three more measles cases linked

to exposure at Denver International Airport and on a Turkish Airlines flight, raising the outbreak total to six. In a statement, the CDPH said the three new cases include two unrelated unvaccinated adults from El Paso County who were at the airport around the same time on May 14 (*CIDRAP*).

AMERICA: The CDC reported 29 more cases, bringing the national total to 1,197 cases and coming within 77 cases of matching the total from 2019, which was the most since the disease was eliminated from the country in 2000. So far, 35 states have reported cases, one more than a week ago, which likely reflects Arizona's first cases of the year (*CIDRAP*).

DENVER, D.C., BOSTON: Health officials are warning travelers and Boston residents after a person visited popular attractions around the city June 7 & 8 (*CBS News*). The D.C. Department of Health said a case of measles has been confirmed in an international traveler who recently arrived in the D.C. area. The patient may have exposed others between June 8 and 12. (*NBC4-TV*). Colorado on Friday confirmed its 15th measles case of the year, in a fully vaccinated adult from Boulder who several times may have exposed passengers riding on a bus between downtown Denver and Boulder (*The Colorado Sun*).

AMERICA: At least 3% of measles cases confirmed so far this year have been in people who received two doses of the measles vaccine, meaning they were fully vaccinated. The CDC said about three dozen of the nearly 1,200 measles infections in 2025 have been in people with two vaccine doses. An additional 2% of cases were in people who received at least one dose of the measles vaccine. (*CBS News*).

WASHINGTON, D.C.: A Centers for Disease Control and Prevention official who led the agency's network to study hospitalization trends from infectious diseases like COVID-19 has resigned in protest following HHS Sec. Kennedy orders to change the agency's vaccine recommendations and the committee that

makes them. Dr. Fiona Havers' last day at the CDC was last Monday (*CBS News*).

CALIFORNIA: A new COVID-19 strain – Nimbus variant – is on the rise in California, and it comes with a symptom known as "razor blade throat." That's because it causes a severely painful sore throat. It's very contagious, too. A few weeks ago, it accounted for about 2% of all cases. Today it's 55%. However, it can be treated with the current vaccines (*KNX-FM News*).

AMERICA: 525,000 - That's how many more deaths occurred among American adults in 2023 than one might have expected if improving mortality trends from before 2010 had continued. More than 90% of those excess deaths were among people without a college degree and although it was during the COVID-19 pandemic, more than half of the deaths were related to circulatory diseases that affect the heart and blood vessels (*JAMA Health Forum*).

ATLANTA: The dismissal of all 17 members of the CDC's vaccine advisory panel and their quick replacement, along with cuts to CDC staff, have "left the U.S. vaccine program critically weakened," all of the ousted members wrote in a Viewpoint in JAMA. They charged that the actions may "roll back the achievements of U.S. immunization policy, impact people's access to lifesaving vaccines, and ultimately put U.S. families at risk of dangerous and preventable illnesses." (*MedPage Today*).

INDIA: As Covid-19 cases continue to rise across India, the number of active infections has now crossed 6,815 nationwide. In the Indian state of Gujarat, the situation remains under close observation as the state recorded 203 new Covid-19 cases in a 24-hour period last week. The state currently has 1281 active cases (*Indo-Asian News Service*).

COVID-19, 06/11/2025

World Total Cases
778,050,175

World Total Deaths
7,096,935

U.S. Total Deaths
1,224,428

World Health Organization

Pentagon Sued for Info re: COVID at Wuhan Games

Judicial Watch has filed a Freedom of Information Act (FOIA) lawsuit against the Department of Defense records regarding U.S. military personnel possibly contracting Covid-19 in 2019 during the World Military Games in Wuhan, China

The lawsuit cites a December 2022 Pentagon report which states that seven "service members who attended the games exhibited COVID-19-like signs and/or symptoms" during the time surrounding their attendance at the games.

The report was not made public until April 2025. It was provided to the House and Senate Armed Services Committees in December 2022, but the Biden administration apparently suppressed it.

Judicial Watch news release, 06/16/2025

Staff Arrested in Bulgaria For Mistreating Residents

Early this month, Police raided a hospice with 75 residents in the central Bulgarian village of Yagoda, arresting five people on suspicion of mistreating patients.

They are charged with unlawful imprisonment and obstruction of free movement,

Bulgarian media reported that some patients had been found with their feet tied, under the influence of narcotics or locked in rooms without proper hygiene, bedding or contact with the outside world.

The Straits Times, 06/09/2025

Buffalo-area Strike Failed Sides Are "Cooling Off"

Following a 7-day strike at two care facilities owned and operated by the McGuire group and Living Legends, union members have voted down their employer's latest offer.

The failed vote gives the union bargaining committee authority to issue a 10-day notice to strike 2 McGuire owned facilities.

However, at the suggestion of the Mediator from Public Employee Relations Board (PERB), both sides agreed to take a "cooling" off period until July 21.

SEIU1199 news Release, 06/13/2025

ONE COLUMN **AHCA/NCAL's Wish List For CMS Changes**

CMS recently asked to hear what rules LTC would like to see taken away. The deadline ended recently and both major LTC associations responded. The American Health Care Association, weighed in with a whopping 54 pages of desires.

Some of the changes included non-physician practitioners be allowed to conduct initial and routine visits and that such work time be recognized in Payroll-Based Journal accounting.

Appendix PP guidance changes for surveyors that went into effect April 28 of this year to be withdrawn because they are slowing down the survey process and creating unnecessary paperwork.

Among the 10 Five-Star Rating System changes AHCA would like are shifting to 20% allotment at each star rating (currently only 10% are allowed to be 5-star); stopping forced rating downgrades to 1-star as a Payroll-Based Journal audit penalty; and moving to a two-survey cycle, instead of three.

AHCA also seeks numerous revisions to Immediate Jeopardy tagging, including adding "serious" before harm and impairment whenever referring to the definition of Immediate Jeopardy.

Another target would be the easing of restrictions on SNFs that have been punished for certain deficiencies to resume certified nursing assistant training programs

replacing "reasonable expectation" with "high probability," and adding a statement to clearly define Immediate Jeopardy.

It also argues for the elimination of measures that report on staff COVID-19 and flu vaccination rates and streamlining MDS reporting, standardizing patient data elements and liability standards are also among the dozens of regulatory areas touched on.

Another target would be the easing of restrictions on SNFs that have been punished for certain deficiencies to resume certified nursing assistant training programs.

McKnight's, 06/16/2025

ONE COLUMN **LeadingAge's Wish List For CMS Changes**

LeadingAge included desired revisions of federal requirements for enhanced barrier precautions and infection control guidance for respiratory illnesses.

"Both create a significant burden on providers, impose on the homelike environment and dignity of residents, and seem to be outdated or ill-advised," LeadingAge wrote. It noted that the Centers for Disease Control and Prevention's Healthcare Infection Control Practices Advisory Committee was reviewing the latter request before the committee was dissolved in early May in one of the new administration's federal worker purges.

LeadingAge also criticized the automatic levying of a 1-star rating for staffing if Payroll-Based Journal workforce information isn't submitted in a timely enough manner. The association said it reflects a "growing tendency" for the consumer-facing Care Compare website and Five Star Quality Rating System to be used for enforcement purposes, which they weren't designed for.

"This arbitrary penalty gives an inaccurate picture of the staffing provided by the nursing home, which might actually be staffing at a 5-star level but simply experienced a technical error preventing timely submission of data," LeadingAge wrote.

Other key wishes it expressed: more widely implementing the risk-based survey, revising / waiving the ownership / management / additional disclosable parties reporting via the form CMS-855A, and ideas to assist with workforce issues such as modifying the guidance to allow telehealth visits and better delegation of physician services to non-physician practitioners such as physician assistants, nurse practitioners, and clinical nurse specialists.

Stakeholder comments may prove particularly helpful to regulators, who through an executive order have been charged with eliminating 10 rules for every new one introduced.

McKnight's, 06/10/2025

Duh! Retention Bonuses Only Good If Used for Retention

Only half of the \$5 million allocated for employee bonuses was actually issued as bonuses at the Gracedale Nursing Home in North Hampton County, Pennsylvania.

An audit indicated that \$2.4 million of the employee retention bonuses were disbursed from 2022 through 2025 for the Northampton County-owned nursing home.

The remaining funds “could not be specifically tracked” once they were transferred to Gracedale in 2023 and were commingled with other funds.

The previous administration at the nursing home used surplus funds for “operational expenses and care of residents” once the bonus program expired, even though it should have still been distributed.

lehighvalleylive.com, 06/10/2025

What Trump Taketh A Judge Giveth Back

A federal judge deemed that some of the grant terminations by the National Institutes of Health are “void and illegal” in a hearing on two lawsuits filed against the Trump administration.

The decision comes after Judge William G. Young heard arguments for over two hours at U.S. District Court in two suits filed against the administration over the termination of hundreds of research grants by the National Institutes of Health.

The decision, which can be appealed, hands a temporary victory to researchers across the country, who are reeling from unprecedented changes at the world's largest public funder of biomedical research.

Stat, 06/16/2025

MedPAC: Five-Star Program Just Doesn't Cut It

The Medicare Payment Advisory Commission believes the federal government should reconsider how it rates facilities in its Five-Star system.

At its April meeting, MedPAC sharply criticized CMS' rating system and its inclusion on what they said is an underused Care Compare website.

MedPAC reiterated that the ratings can be gamed because they largely rely on self-reported patient-assessment items and do not include measures of patient and family satisfaction.

The Commission argued that both the nursing home Value-Based Purchasing program and Quality Reporting measures incorporated into Five-Star have failed to drive true quality improvement.

McKnight's, 06/12/2025

RFK, Jr. Fired All the Old, Now Selects 8 for the New

Eight new members have been appointed to the powerful Advisory Committee on Immunization Practices, which plays a large part in deciding which vaccines are administered to US citizens.

Several of the new ACIP members support vaccines. But a number have also expressed skepticism: one serves on the board of an anti-vaccination organization, and a second has been a prominent sceptic of COVID-19 vaccines on social media.

Of the eight, four were included in the dedication to Kennedy's 2021 book *The Real Anthony Fauci: Bill Gates, Big Pharma, and the Global War on Democracy and Public Health*.

Nature, 06/17/2025

SNF Facing Whistleblower Retaliation Claims

An Oregon nursing home must face a whistleblower retaliation lawsuit involving an admissions director who told a new administrator that her decision to deny admission to a behavioral health patient was disability discrimination.

Hunt asked the administrator to reconsider, arguing that declining an admission based on a “non-presenting mental health diagnosis violated the Fair Housing Act and constituted disability discrimination.”

She was accusing her of “overstepping,” undermining management and “causing a hostile work environment” and ultimately fired.

A federal judge ruled the 2024 lawsuit brought by Hunt could proceed, based on Oregon's whistleblower protection statute.

McKnight's, 06/11/2025

Briefly in the News

The FDA has approved a powerful new drug that provides nearly complete protection against HIV infection with just a single administration every six months. The injection, known chemically as *lenacapavir* and to be marketed as *Yeztugo*, has been hailed as the closest thing the field has ever had to a vaccine. It's seen as a groundbreaking intervention that, if rolled out properly, could bring the 45-year-old HIV pandemic to heel (**Stat**).

As the Louisiana legislature wrapped up business recently a clear winner was the nursing homes in the state. Nursing home owners were able to pass legislation that will limit the damages collected from wrongful death and injury lawsuits brought against their facilities. Currently, there are 60-plus pending lawsuits from former clients and their families against nursing home ownership groups across the state (**States Newsroom**).

Nursing home operator PACS Group is re-releasing its financial reports from the first half of 2024 after an audit delayed result for several months. PACS Group said in a Securities and Exchange Commission filing that additional scrutiny, including an independent audit committee's investigation and Medicare Part B billing uncertainties, led management to reconsider compliance of claims for respiratory and other services. (**Modern Healthcare**).

It's been almost three years since the launch of 988, the easier-to-remember number for the national crisis and suicide hotline. Between July 2022 and December 2024, there were about 16 million calls, texts, and chats to the line. A study has indicated almost 49 calls for every 1,000 people in the U.S. Delaware is lowest with just 12.5 calls per 1000 (**JAMA Network Open**).

PointClickCare has asked a federal court to dismiss an 18-month-old civil suit challenging its right to block another post-acute technology firm from freely accessing its data. Real Time Medical Systems sued PCC in 2024, arguing that the giant electronic health records firm was using unsolvable puzzles, called CAPTCHAs, to prevent it from pulling data needed to perform analytic tasks for its skilled nursing clients (**McKnight's**).