

# IN THE NEWS

News for LTC Professionals  
in 100 Words-or-Less

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## THEY SAID IT

*The current [survey] system is broken and it's broken because it focuses primarily on punishment and blame when unexpected things happen, even in spite of staff doing all the right things*" Holly Harmon, AHCA's senior vice president of quality, regulatory and clinical services

*"I would do it all over again, without a doubt. I'm actually proud of myself for what I did"* Dr. Mary Talley Bowden after she was reprimanded by a Texas medical board for prescribing ivermectin to a COVID patient at a hospital where she did not have privileges to treat

*"The SFF program is not working because most nursing homes that graduate from the program do not keep the improvements they made over the long term"* HHS-OIG in a new report on the Special Focus Facility program

## Will the Rules be Revealed Soon? Who Knows?

By law, the CY 2026 final Medicare payment rules must be released by November 1, 60 days prior to the start of the calendar year.

These final rules include the following:

- ~ End-Stage Renal Disease Prospective Payment System
- ~ Home Health Prospective Payment System
- ~ Physician Fee Schedule (PFS)
- ~ Outpatient Prospective Payment System (OPPS)

Stakeholders have inquired whether the rules will come out on time or be delayed because of the shutdown. While all of the rules are now with the Office of Management and Budget for review, it remains to be seen when they will be released.

McDermott Plus, 10/30/2025

## Providers to CMS: Back Off And Rethink Use of CMPs

Getting CMS to move away from the strict liability doctrine that it has ingrained into inspectors at agencies across the US is a chief goal of AHCA's broader plan to rationalize the regulatory environment.

Leaders with AHCA tried to popularize "strict liability" as a buzzworthy new phrase at their annual convention but their ultimate goal is to help providers — and surveyors — forget all about it.

AHCA's Holly Harmon said, "What we've seen is over time, [is that] CMS has taken a more punitive approach that doesn't recognize good-faith efforts that facilities make."

McKnight's, 10/829/2025

## Lawmakers Look to Preserve Elements of Staffing Rule

The two Oregon senators are pressing CMS to clarify which parts of the federal staffing mandate it intends to preserve.

The questions from Sens. Ron Wyden and Jeff Merkley, both Democrats, are in response to a nine-year moratorium on the rule included in the One Big Beautiful Bill passed in July.

Democrats say the rule's assessment and reporting requirements have been preserved.

An interim final rule repealing the staffing rule has been under review at the White House Office of Management and Budget since late August.

McKnight's, 10/28/2025

## OIG: Reform SFF Program 'cause It Ain't-a Workin'

The HHS-OIG called on regulators to strengthen the Special Focus Facility program for SNFs, saying most facilities that graduate do not sustain improvements.

OIG said, "Between 2013 and 2022, nearly two-thirds of the nursing homes that were in the SFF program improved enough to graduate but soon afterward showed the type of quality problems that put them in the SFF program in the first place."

Providers agreed that the program is not working as designed.

"Simply increasing inspections and publicly shaming facilities that are struggling is not going to help them change or improve," said Holly Harmon of AHCA.

HHS-OIG 10/29/2025

## Mass. Staffing Agency Busted for Staffing Fraud

A Worcester County, Massachusetts grand jury has returned 13 indictments against Blooming Staffing Agency, Inc., a temporary nurse staffing agency for staffing nursing homes with uncertified individuals and fraudulently billing those facilities for services they provided.

The state Attorney General alleged Blooming billed and received over \$300,000 for contracted CNA services that were not performed by actual CNAs.

The grand jury also indicted the agency's owner, Catherine Kibe, and one former employee, who state officials said had purposely impersonated a licensed CNA and worked at multiple nursing homes at Kibe's direction

Mass. Attorney General news release, 10/27/2025

## HHS to CMS Workers: 'Ya-all Come Back'

CMS has recalled all employees who were furloughed at the start of October when the federal government shut down.

CMS furloughed 47% of its 6,700-person workforce when the shutdown began Oct. 1.

That amounts to roughly 3,000 employees who will be brought back to work next week.

To pay staff during the shutdown, the agency will draw from user fees collected from researchers who access CMS data, with plans to reimburse the fund once the government reopens.

Across HHS, 41% of the department's 79,717 workers were furloughed at the start of the shutdown.

Becker's Hospital Review, 10/23/2025

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

**THE WORLD:** A new study suggests that the coronavirus and mRNA vaccines, originally designed to protect against SARS-CoV-2, could help make certain cancer (including melanoma and lung cancer) treatments more effective. Researchers found that the immune response triggered by the vaccines may "sensitize" tumors to immune checkpoint inhibitors (ICIs), a drug that helps the immune system attack cancer cells (*Nature*).

**EUROPE:** The European Centre for Disease Prevention and Control (ECDC) today confirmed that a prolonged multi-country outbreak of *Salmonella* Strathcona has resulted in 437 confirmed cases in 17 European countries since 2023. Italy, Germany, and Austria are the European nations most affected, but 24 cases have been reported in the U.S. and 10 in Canada (*ECDC news release*).

**MISSISSIPPI:** Sheriff's deputies euthanized five monkeys that got loose when the truck carrying them overturned on a Mississippi highway Tuesday after the driver mistakenly told them that the primates were infected with Covid-19, hepatitis C and herpes. They were not. Jasper County Sheriff Randy Johnson said lamenting the sequence of events that had led to several of the monkeys being put down, said three other monkeys that escaped were still loose. (*The New York Times*).

**ARIZONA & UTAH:** In what is now the second-largest US measles outbreak this year, measles cases have topped 124 cases between Colorado City, Arizona (80 cases) and Hildale, Utah (44 cases). Within the past few weeks, there have been three cases in nearby larger towns, such as Hurricane and St. George, Utah. The largest outbreak so far this year was in West Texas with 762 confirmed cases when it was declared over on August 18. (*NBC News*).

**THE WORLD:** On World Polio Day the World Health Organization (WHO) warned that polio vaccine uptake in Europe is at its lowest since 2017, leaving more than 450,000 babies unprotected. WHO officials confirmed four new infections – two cases each in Afghanistan and

Papua New Guinea. Afghanistan has had nine case this year; Papua New Guinea has confirmed three (*WHO news release*).

**INDIA:** A randomized clinical trial in India found that the anti-inflammatory drug *colchicine*, once thought promising for treating COVID-19, is no better than placebo in terms of functional capacity, respiratory function, symptoms such as depression or fatigue, or inflammation in long-COVID patients 1 year after infection. Colchicine is often used to reduce inflammation and pain in patients with gout (*JAMA Internal Medicine*).

**PENNSYLVANIA:** State senator Doug Mastriano introduced a bill that would restrict colleges and universities in the state from issuing vaccine mandates for their students, arguing that masking, testing and social distancing would contain diseases. The legislation would ban coronavirus vaccine requirements for students and faculty in public and private colleges and would place guardrails around immunization mandates for other diseases. Institutions would not be allowed to refuse admission to a student based on their vaccination status (*Tri-County Independent*).

**FLORIDA:** The Sunshine State plans to end nearly a half-century of required childhood immunizations against diseases that have killed and maimed millions of children – . Early next year, the Florida Legislature is expected to take up reversal of a 1977 law requiring kids at school and day care to be vaccinated against seven other diseases that can kill children: whooping cough, measles, polio, rubella, mumps, diphtheria, and tetanus. (*KFF Health News*).

**AMERICA:** Measles outbreaks have spread across the US to reach 41 states. The largest ongoing cluster in Utah and Arizona has now grown into the second-biggest outbreak of the year. Utah reported a total of 58 infections bringing the tally for Utah and Arizona to 142 so far this year. Arizona reported 84 cases and three hospitalizations. The CDC has reported a total of 1,618 infections nationwide this year, the largest outbreak in three decades (*Bloomberg*).

**SOUTH CAROLINA:** The Upstate South Carolina measles outbreak has grown by 2 more cases, raising the state total to 25. Health officials said both infections were linked to close contacts of known cases, who had been under quarantine at home following exposures at two schools with a high percentage of unvaccinated students. Of the state's 25 cases, 22 have occurred as part of the Upstate outbreak (*CIDRAP*).

**CALIFORNIA:** More than two years after the mpox outbreak in the U.S. was declared over, a new crop of cases in California has infectious disease experts on edge. The mpox outbreak that spread through men who have sex with men was declared over at the start of 2023, though low-level transmission has persisted since then. The recent, unrelated, cases have raised concerns because they were caused by a more dangerous strain of the virus (*The Hill*).

**CALIFORNIA:** Masking policies are all over the map. For example In San Francisco Bay Area, county public health agencies next door to each other have adopted different mandates about masks for the coming season, with some applying only to healthcare personnel, while others apply to everyone, including patients and visitors. Patients have also noted differing mask policies across individual physician (*MedPage Today*).

**TEXAS:** The state Medical Board has voted to issue a public reprimand Houston physician Dr. Mary Talley Bowden for prescribing medication to a COVID-19 patient at a Fort Worth hospital where she lacked permission to provide treatment. Bowden previously drew national attention for her opposition to COVID-19 vaccine mandates and her support for using ivermectin, an anti-parasite medication, to treat the virus (*Houston Chronicle*).

### **COVID-19, 10/23/2025**

**World Total Cases**  
778,825,062

**World Total Deaths**  
7,103,098

**U.S. Total Deaths**  
1,228,289

World Health Organization

## **Analysis: Last Year's COVID Vaccines Protected Well**

A study of 237,203 Nebraska residents during 2024-25 assessed effectiveness against infection, emergency department visits, and hospitalization.

In total, 12,860 SARS-CoV-2 infections, 3,330 COVID-19-related ED visits, 1,566 related hospitalizations, and 189 COVID-19-related deaths were reported.

Protection against infection and ED visits was 45%.

Protection against ED visits, a sign of more serious illness, was 45.1% at 4 weeks, 42.9% at 10 weeks, and 39.1% at 20 weeks. For hospitalization or death, effectiveness reached 57.3% at 4 weeks and dropped to 34.0% at 20 weeks.

*JAMA Internal Medicine, 10/28/2025*

## **PA Lawmakers and Providers Look to Halt 'Venue Shopping'**

Lawmakers have begun the process to limit venue shopping in Pennsylvania after a state Supreme Court decision sent case counts soaring in the state's most plaintiff-friendly jurisdiction.

"Venue shopping is harming PA's long-term care facilities, increasing costs, reducing access to care, and discouraging quality providers from entering or expanding in Pennsylvania, especially in rural areas," Pennsylvania Health Care Association President and CEO Michael Jacobs said.

Jacobs testified in support of a hearing for a bill which could eventually trigger a constitutional amendment limiting venue selection.

*McKnight's, 10/30/2025*

## **Huge LTC Purchase – Some Say the Largest Ever**

Welltower's acquisition of the United Kingdom's second largest care home company likely represents the world's largest senior care deal.

Welltower leaders described the purchase of Barchester Healthcare and the HC-One Group in October as part of a coordinated effort to refocus the company on senior care operations and technology enhancements.

In the latest deal, Welltower forked over £5.2 billion — nearly \$7 billion US dollars — for 284 Barchester assets. That's a significant portion of the company's overall 2025 investments of \$33 billion.

UK's *Caring Times* said the Barchester purchase is "believed to be the world's largest care home deal to date."

*McKnight's, 10/29/2025*

## **Disturbing Consequences If Pharmacy Subsidy is No Show**

ATI Advisory on behalf of the Senior Care Pharmacy Coalition estimates the average LTC pharmacy will see its operating margin decline 35% by 2027, due to Medicare's drug price negotiation program.

The Inflation Reduction Act was designed to lower prices for beneficiaries, but its design didn't take into account differences in delivery to people living in long-term care settings.

"LTC pharmacies support lower drug prices for consumers.

In 2026, when the first new, lower prices kick in on 10 high-demand drugs, ATI estimates that LTC pharmacies will see their Part D revenues drop by 57%.

*McKnight's, 10/28/2025*

## **He Stole Credit Cards from Residents – Cops Want Him**

Police in Kansas are looking for a man suspected in several recent credit-card thefts from Topeka-area nursing homes and retirement communities.

Officials said the suspect appeared to be carrying a bag and/or parcels inside a retirement facility in Topeka. Residents "assumed he was a delivery driver."

The suspect entered residences on two separate occasions and stole credit cards that were used at box stores in Emporia, El Dorado, Wichita and Edmond, Oklahoma.

The suspect was shown on the Topeka Police Department's Facebook page in what appeared to be four photos taken by a Walmart security camera.

*WIBW-TV, 10/24/2025*

## **ONE COLUMN**

### **Nearly Half the Falls in SNFs Are Not Reported**

Two newly released companion reports from the HHS-OIG discuss the prevalence of serious falls among Medicare-enrolled nursing home residents as well as inaccurate reporting of falls.

In a one-year period, (7/2022-6/2023) there were 42,864 serious falls of which 1,911 residents died while hospitalized. Medicare paid over \$800 million for the resulting care.

Residents who were female, older, short stay and living in for-profit facilities were most likely to fall; 78% of residents who fell were functionally impaired, and 63% were cognitively impaired. Falls were more frequently unreported for younger residents, male residents, short-stay residents, and those with Medicare-only coverage.

About 43% of the falls were not documented.

For-profit and chain-affiliated nursing homes had the highest rates of nonreporting, though for-profit and chain-affiliated nursing homes are, by far, the largest segment of the nursing home market and thus skew the data.

Larger facilities and those in non-rural areas were more likely to underreport.

Notably, nursing homes with the lowest reported fall rates on Care Compare were the least likely to report actual falls, and the report insinuates that low scores may reflect data manipulation rather than superior care.

In response to OIG's recommendations in the report, CMS is:

- ~ Launching a new MDS validation program to audit nursing home records.
- ~ Exploring integration of claims and encounter data into fall-related quality measures.
- ~ Planning to tie bonus payments to fall rates beginning in 2027, under the Skilled Nursing Facilities ("SNF") Value-Based Purchasing Program.

These changes signal a shift toward multi-source verification of quality metrics and a more robust enforcement framework.

*JD SUPRA, 10/09/2025*

## **It's OK for W. Va to Privatize State-Owned SNFs**

A West Virginia county judge has lifted a restraining order that previously halted the sale of the state's four long-term care facilities to Majestic Cvare, a NY company.

A resident of one of the homes had challenged the sale, saying the Department of Health Facilities Secretary Michael Caruso and Gov. Patrick Morrisey had the power to sell the hospitals to a private company without approval from legislators.

Marion County Judge Matthew Deligatti said at the end of the more than two hour hearing, he felt the wording in state code did give the secretary the ability to authorize the sale.

WCHS-TV, 10/29/2025

## **Louisiana Waited Months to Alert About Deadly Pertussis**

Louisiana health officials waited 2 months after the state's first whooping cough-related deaths in seven years to encourage vaccination, and more than 3 months to issue a statewide health alert.

In late January, physicians at a Louisiana hospital warned their colleagues that two infants had died in the outbreak. Shortly thereafter, Louisiana Surgeon General Ralph Abraham, MD, ended the state's general promotion of vaccines and vaccination events.

By the time the first statewide alert went out in May, 42 people had been hospitalized for pertussis, three fourths of them unvaccinated. More than two-thirds of those were under 1 year old.

KFF Health News, NPR, 10/28/2025

## **Wash. Voters to Decide if LTC Funds Can be Invested**

The only statewide ballot measure that Washingtonians will see this election season is a constitutional amendment that would give the state's Investment Board permission to invest a portion of the Washington Cares Fund more broadly.

The Fund, designed to help state residents with LTC expenses, is financed through payroll deductions and whatever investments generate.

The funds are already being invested in things like bonds and treasury bills, which Amendment supporters say limit how much the funds can grow.

The State Actuary Office predicts that investing a portion of the reserves could increase the fund by nearly \$192 billion by 2077.

KREM-TV, 10/23/2025

## **LTC Lags Competition On Therapist Pay Increases**

Hospitals are beating LTC providers on wage increases and annual bonuses amid stiff competition for therapy staff.

Long-term care therapists received an average pay increase of 2.92% between July 2024 and June 2025, trailing those working in hospitals, who received average increases of 3.29%.

The Hospital & Healthcare Compensation Service reported hospitals also are planning higher therapy pay increases for the year ahead,

Long-term care organizations participating in an HCS survey reported the lowest planned wage increases across therapist roles for the year ahead at 2.85%, versus 2.9% in home health and 3.05% in hospitals.

McKnight's, 10/16/2025

## **Psychotic Episode Paralysis - Sheriff's Office Will Pay**

A man found not guilty by reason of insanity in a 2021 homicide case at a Charleston, South Carolina ALF will receive a \$125,000 settlement from the local sheriff's office.

William A. Taylor, 26, attacked two ALF residents in June 2021 - punching them until they fell to the ground, stomped on both, then bludgeoned them with a wooden Buddha statue.

In jail during a psychotic episode, Taylor repeatedly bashed his head in his cell. He remains paralyzed.

The lawsuit accused jail staff of failing to provide heightened care to the man with schizophrenia and preventing a 2021 self-harm incident.

Post & Courier, 10/18/2025

## **Briefly in the News**

Researchers analyzed electronic health record data from more than 174,000 patients at 107 US health systems and found that vaccination against herpes zoster (shingles) may reduce the risk of heart disease, dementia, and death in adults aged 50 and older. Vaccination with the Shingrix vaccine, approved in 2017, is recommended for people aged 50 years and older, regardless of shingles history or previous receipt of the now-discontinued Zostavax vaccine (**CIDRAP**).

More than half a million bottles of blood pressure medication are being recalled over a cancer-causing chemical connected to the prescription drug. Teva Pharmaceuticals USA issued a voluntary recall for some of the prazosin hydrochloride capsules it distributed. The FDA classified it as a Class II risk level (**USA Today**).

In a study with over 500,000 participants chronic kidney disease (CKD) is correlated with sudden cardiac death (SCD). Researcher found there was a significantly greater cumulative incidence of SCD in participants with CKD than in those without CKD. CKD is a growing problem in the United States and world. It along with other modifiable risk factors such as obesity, diabetes, hypertension, smoking and a lack of exercise is expected to contribute to a doubling of kidney cancer cases by 2050 (**Nature Communications**).

LTC Properties announced the sale Thursday of five skilled nursing centers, completing its planned disposition of a seven-property portfolio. The sale included four located in Virginia for \$51 million, and one in California for \$29 million. LTC Properties expects to gain about \$52 million on the deal (**Skilled Nursing News**).

Optalis Health & Rehabilitation of Broomfield Hills (Michigan) is laying off 94 employees. The layoff notice, mandated by state regulations, highlights the immediate impact on the workforce at parent company SKLD. Employees received the announcement in October (**Here Northville**).

