

***Health Facilities Unit
Long Term Care Advisory Committee Meeting
October 25, 2022
9:00 am to 12:00 pm***

Committee Members Present:

Tim Wiedrich, Chief, Health Response & Licensure, ND Department of Health & Human Services
Bridget Weidner, Director, Health Facilities Unit, ND Department of Health & Human Services
Kathy Laxdal, Program Manager, Health Facilities Unit, ND Department of Health & Human Services
Rocksanne Peterson, Recorder, Health Facilities Unit, ND Department of Health & Human Services
Cynthia Tredwell, Chairman of the ND LTC Association, Hatton Prairie Village, Hatton
Peggy Krikava, Education Director, ND Long Term Care Association
Shelly Peterson, Executive Director, ND Long Term Care Association
Karla Backman, State LTC Ombudsman, ND Department of Health & Human Services
Karla Aldinger, Life Safety & Construction Unit, ND Department of Health & Human Services
LeeAnn Thiel, Administrator, Division of Medical Services, DHS
Pete Antonson, Board of Examiners for Nursing Home Administrators
Kelly Beechie, Health Facilities Unit, ND Department of Health & Human Services
Rick Boehm, RPh, President of the ND LTC Pharmacy Academy
Steve Hoepfner, Obernel Engineering
Dr. Bruce Hetland, Bismarck Medical Director, Nursing Home Medical Directors Association
Lisa Thorp, Quality Health Associates
Faye Salzer, HAI/AR Activities Coordinator and IP Coordinator, Disease Control

Also, present:

Shawn Stuhaug, Administrator, Bethany Retirement Living
Mary Dillman

Committee Members Absent:

Representative Gary Kreidt, ND House of Representatives (New Salem)
Natasha Green, Quality Health Associates

Welcome

- Introductions were made.

Public Comment – Shawn Stuhaug was present for public comments. He is asking for the board chairs signatures to be removed from the basic care and skilled nursing license applications. He feels the administrator should be able to sign them. Bridget stated our system is not working the

way it should be and we will look into it. Bridget will do some research to see what we can and cannot change within the century code. Health Facilities licensing went live on October 17, 2022. We have had some issues and expect more issues. We have been wanting to do this for a long time. We will continue to work to streamline the process. Cindy Tredwell stated the process went well for her. Bridget trusts that we will be able to make the signature piece go smoothly.

Review and Approval of the November 17, 2021, meeting minutes., Peggy Krikava motioned to approve the minutes as written, Cindy Tredwell second. Motion carried.

Organizational Update – Tim gave an organizational update from Health and Human Services. Deloitte was hired to help with the reorganization. Dr. Wehbi and Chris Jones, HHS Commissioner report to Governor Doug Burgum. There are four program divisions: Public Health Division, Medical Services, Behavioral Health, And Human Services. Dirk Wilke is the executive director for the Public Health Division. There are five sections under Public Health Division, Health Response & Licensure Section is one of those section and there are 5 units within that section: EMS, EPR, HF, LSC and F&L.

Shelly Peterson was wondering where Aging Services fell in the organization. Karla Backman stated she is currently under Human Services.

Bridget stated it has been nice having John Alm to help with rules process. The development of administrative rules has been very taxing in the past.

Reports & Updates

- Legislative Update – No update.
- Long Term Care Association – Shelly Peterson gave a report from the association regarding their priorities and outstanding issues.
 - For the priorities Shelly spoke about the increasing in the personal needs allowance; support in keeping Basic Care and nursing home moratorium; keep the bed layaway program; asking that the Basic Care review continue and changing how limits are set; changing base rate for Basic Care; asking for a minimum for a 4% increase for Basic Care each year; guardianship standards were updated giving the guardians authority to make decisions, more guardians are needed, supporting legislation for more and to increase the pay for them.
 - Issues: contract nursing; 91% nursing homes using contract nursing. Majority of contract nursing is CNA's. There is not support of limiting contract nursing, but support transparency of the percentage of contract nursing. Several options were discussed regarding contract nursing. Some of them are having an office of immigration for health care workers to be funded by fees; putting a cap on the dollar amount for contract nursing or agency; contract staff vs. temporary NA; the \$2000 incentives for the temporary NA's and possibly extending that. It was felt that \$2000 was not much of an incentive. Cindy felt \$5000 would have been a better incentive. Also, discussed drug and diversion issues facilities are having, criminal history checks for CNA's, and opposition to a systematic check by the state. There are challenges with the new payment system. Fifty percent of the nursing facilities are operating at a deficit. Some facilities have given five salary increases and have not been able to keep pace. The impact of the pandemic has continued to affect facilities, Shelly asked whether we need to go back to a bed buy program. This is a discussion to have with Chris Jones. Shelly

does not want facilities to fail with the new payment system. Rick asked anything is being done to address the workforce issue. Shelly thinks immigration is a good way to go.

- First in person regional meeting will be in December, Human Service Centers and Behavioral Health will be invited. Facilities are seeing more behavioral health issues. Hospitals are struggling as well. A broken system that is not working well, reaching out to crisis teams to do justice for the residents.
- Peggy spoke about dementia care training; they are trying to have this training two times a year. Fall conference was held the end of September. 375 attended the conference. Webinar coming up regarding quality awards. Are the providers using utilizing QESP? Bridget will send that to Peggy. There are all kinds of training regarding survey process.
- Quality Health Associates of North Dakota –Lisa Thorp gave update Jenifer Lauckner will join meeting in the future. Lisa gave a report from Quality Health. She talked about working with facilities regarding emergency preparedness plans as well as the quality measures. Lisa works with NDHIN and facilities.
- Nursing Home Medical Directors Association – Bruce gave background history on the ND Medical Directors Association. ND and SD merged the two chapters. He talked about other states having troubles getting qualified medical directors. He also spoke about getting education for the medical directors and memberships in the medical director associations in the United States. Medical Directors directory is on our website and will be updated quarterly. It has been a struggle to have coverage for nursing homes. Dr. Don Jurvich has been a help with the educational portion. Chris Henderson does a lot of the nursing home coverages in the Grand Forks area.
- Board of Examiners for Nursing Home Administrators – Pete Antonson stated there has been a change in some rules for the AIT program effective January 1, 2023. A special meeting is being held this afternoon to address some issues. Pete and Peggy heading to Nashville next week to the National Meeting.
- State Ombudsman – Karla Backman reported the ombudsman are continuing to visit residents at the facilities. They have four volunteers going through training and additional two that want to get started. They are in the process of hiring a new position in the Bismarck area, will be doing interviews on Monday. It is a Temporary, hopefully it will receive funding to continue the position.
- Medicaid Program – LeAnn Thiel reported the budget has been submitted and they are working on second phase of the payment system. There will be an increase in the property rate of the payment system.
- Disease Control – Faye Salzer reported they have a new person working with the NHSN, Diego. There are new requirements coming out, but they may not be new for LTC. Currently, interviewing for an anti-microbially lead and hope to have that person on in January. They are still offering the infection control prevention assessments. They are appreciative to Vanessa for getting information to the LTC facilities. Pete would like to have the reporting the of HSN data reduced. He feels there is a lot of waste of time and doesn't feel the dynamic is there anymore.
- Health Facilities – Bridget Weidner/Kathy Laxdal
 - There are 65 basic care and 77 skilled nursing facilities. We just finished certification for Elim. There are rumblings for Mott to reopen. Kathy gave a report on the most frequently cited tags; F888 – citing on almost every survey, F658 second highest, F761 drug storage, expired items; F884 missing reports to NHSN this is being cited from the Feds. There were 421 deficiencies cited in 2022, greatest at D level, and the average number of deficiencies were 3.1.

- Kathy and Bridget spoke about Health Facilities workload: a lot of complaints coming in from vulnerable adults' reports (VAPS). We may have to cancel surveys because complaints that have come in or immediate jeopardy (IJ). Kathy spoke about the enforcements and temporary managers. There are currently 2 facilities have temporary managers because of enforcements. Temporary managers are assigned by CMS. She also talked about QSO 23-01 Memo and about Minot Health & Rehab being the Special Focus Facility.
- Bridget talked about the online licensing progress. CMP still doing the \$3000 visitation award, busy working on RELF administrative rules, as well as the administrative rules for Extended Stay and hospital rules.
- Tim Wiedrich gave an update on the criminal history check we would like to see provisions. He feels there could be a conversation to talk about concerns to be address. We will make time now.
- Kelly gave a nurse aide update 18,000 active registrants, facility incident reports have increased in the last 6-9 months, and a lot of the incidents that have been reported don't need to be reported. Something that does not need to be reported is an argument between residents where there was no injury. Falls with major injuries, misappropriation of funds, and verbal abuse are reported and investigated.
- Life Safety and Construction – Karla thankful for a full staff, November/ December will be busy with final inspections of six facilities. Karla gave update on projects and timelines. Newsletter is very supported; it is on the back burner for right now but will try and get that up and going in the future. Shelly asked if the fees are sufficient. Karla stated right now they are but in the future, they will have to look at adjusting the fee. We will have to pull the data together and look at.
- Consumer Representatives –

Old Business – Basic Care/Assisted Living representative: Shelly will provide.

New Business

Next Meeting. Moving meeting to twice a year, spring – fall.

Adjourn at 12:00 pm