

**Long-Term Care Facility Advisory Board Meeting
November 17, 2016 • 10:00 a.m.**

Approved Minutes

I. Call to Order and Introductions

Darlene Harney, Chair, called the meeting to order at 10 a.m.

Members Present: Mike Bibo, Dr. Albert Maurer, Robert Roiland, Dr. Alma Labunski, Robert Lewis (Proxy for Mark McCurdy), Pamela Blatter, and Jamie Freschi

Members Not Present: Kevin Switzer and George Bengel

IDPH Representatives and Guests: Sean Dailey, Connie Jensen, Darlene Harney, George Logan, Sherry Barr, Christopher Vemagini Marbanang, Elaine Huddleston, Henry Kowalenko, Jon Siegel, Garth Reynolds, John Cirn, and Wendy Meltzer

II. Approval of May 19, 2016, June 29, 2016, and August 18, 2016 meeting minutes

Board members were asked to review and comment on August 18, 2016 minutes. Board member Robert Roiland commented was present at the May 19, 2016 and August 18, 2016 meeting. Changes to previous minutes were noted. Board was not able to vote on these minutes due to lack of a quorum; will bring minutes from May 19, 2016, June 29, 2016 and August 18, 2016 with minor corrections to the February 16, 2017 meeting to vote on.

III. Membership Update

1. Membership vacancies – five (5) voting vacancies
 - a. Two (2) Public Members;
 - b. One (1) Resident Advisory Council Member;
 - c. One (1) Advocacy or Legal Assistance Member; and
 - d. One (1) Provider Organization Member

Board members were reminded the Board has five (5) voting vacancies with the latest vacancy being Donna Ginther, whose term expired October, 2016. Department received one (1) board nominee membership application from a candidate recommended by Jamie Freschi that is pending approval from the Director's office. Members were asked to contact the Department with any other possible candidates that are interested in serving on the Board.

IV. New Business

- a. New CMS Final Rule –Reform of Requirements for Long Term Care (LTC) Facilities
 - i. Connie Jensen, Division Chief of Field Operations, LTC presented this information to the Board
 1. Board members were given a copy of the CMS S&C: 16-42-NH: Notification of final rule published-reform of requirements for Long-Term Care (LTC) Facilities.
 2. Regulations go into effect on November 28, 2016.
 3. LTC Facilities must comply with regulations to participate in Medicare & Medicaid program.
 4. Additional information will be provided through;
 - a. Interpretive guidelines
 - b. Future S&C policy memos
 - c. Survey process
 - d. training provided for surveyors

5. Surveyors will continue to survey under the same process; language of rules has changed
- ii. Connie Jensen gave a short review of CFR sections under the new regulations and revisions that were made:
 1. Implementation dates will be staggered over a three (3) year span;
 2. Tag Requirements are now located under new rules;
 3. Changes in title section;
 4. Changes in certain regulations and verbiage;
 5. Changes due to practice of service; and
 6. Changes due to quality of health care and patient safety
- iii. Board members discussed some concerns and questions with the new rules;
 1. No rules/guidelines to work with;
 2. Not understand what is being cited;
 3. Lack of clarity;
 4. Generalization of terms used; and
 5. How each surveyor looks at deficiencies being cited differently
 6. How disagreements/problems/questions will be handled
- iv. Board members were encouraged
 1. To bring out other issues or questions;
 2. Be patient during the first few months of transition
 3. Deficiencies cited in the past were under interpretive guidelines
 4. Deficiencies are now found under new rules
 5. Question deficiencies cited at time of exit conference
 6. Ask surveyor(s) to be open
 7. Future webinars will be available for training
 8. Training to be implemented over the next three (3) years
 9. Revised survey process
- v. Department noted questions and concerns that were addressed and instructed Members too:
 1. Forward and address other questions/concerns as they arise;
 2. Reach out to Regional Office Supervisors; or
 3. Reach out to Field Operations Supervisors;
 4. Keep line of communication opened; and
 5. Connie Jensen will try to make herself available for contact
- b. Emergency Preparedness
 1. Connie Jensen presented this information in place of guest speaker Gina Swehla with Office of Emergency Preparedness.
 2. Board Members were given a copy of the CMS S&C Memo 17-05-ALL that provided general information regarding implementation plans for the new Medicare/Medicaid Programs Emergency Preparedness Rule (EPR).
 3. Final Rule was published (Federal Register Vol. 81, No. 180) on September 16, 2016;
 4. Final Rule becomes effective on November 15, 2016, which affects all 17 provider and supplier types eligible for participation in Medicare;
 5. Interpretive guidelines and survey procedures will be developed and anticipated to be published in spring of 2017;
 6. Implementation of the new requirements must be in full compliance by November 15, 2017;
 - a. Providers and suppliers not in full compliance with new regulations will be cited for non-compliance when surveyed.
 7. Each provider and supplier type must have its own Emergency Preparedness regulation;
 8. Final rule requires participating providers and suppliers to meet the following four (4) core elements of emergency training:
 - a. Emergency plan
 - b. Policies and procedures

- c. Communication plan
- d. Training and testing program
- 9. Final rule outlines what each type of provider and supplier are required to do;
- 10. Providers and suppliers are encouraged to work with;
 - a. Regional healthcare coalitions
 - b. Public health agencies
 - c. Local emergency management
 - d. Assessing risks
- 11. Resources and contacts are available to providers and suppliers to help develop emergency plan:
 - a. Assistant Secretary for Preparedness and Response's (ASPR's) Technical Resources
 - b. Technical Resources, Assistance Center and Information Exchange (TRACIE)
 - c. TRACIE can be accessed via <https://www.asprtracie.hhs.gov/>.
 - d. CMS will host a Medicare Learning Network (MLN) to discuss requirements and answer questions 6
 - e. Questions regarding EP Rule contact: SCGEmergencyPrep@cms.hhs.gov.
 - f. Questions regarding Training contact: SCGTraining@cms.hhs.gov.

V. Meeting:

- 1) Next Board meeting is February 16, 2017 at 10 a.m.
- 2) Agenda items to Darlene Harney two weeks prior to the meeting date.
- 3) Confirm attendance (or designated proxy) via email to Elaine Huddleston, elaine.huddleston@illinois.gov.
- 4) Agenda will be sent to the Board two (2) weeks prior to the meeting date.

Meeting adjourned