



ILLINOIS DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE REGULATION
LONG TERM CARE FACILITY ADVISORY BOARD MEETING
November 15, 2018 • 10:00 AM – 12:00 PM

APPROVED MEETING MINUTES

I. CALL TO ORDER AND INTRODUCTIONS

Connie Jensen called to order at 10:14 a.m.

MEMBERS PRESENT: Mike Bibo, Karen Christensen, Mark McCurdy, Dr. Alma Labunski, Candice Moore, Dale Simpson, and Dr. Albert Maurer, and Jamie Freschi

MEMBERS NOT PRESENT: Martin Gorbien, Patrick Baalke, George Bengel, and Pamela Blatter

IDPH REPRESENTATIVES: Connie Jensen, Elaine Huddleston, Pamela Winsel, Sherry Barr, Sara Wilcockson, Sean Dailey, George Logan, Aimee Isham, Kevin Jacobs, and Andrew Schwartz

GUESTS: Mark Bill Bell, Greg Milanich, Amanda Ginther, Rosalina Gilbertson and Kevin Taylor

There were technical difficulties for the first 25 minutes of the meeting. The Springfield Board members were reading the bylaws to see if there was a quorum established, as the new bylaws had not been approved. A quorum was established according to the previously approved bylaws.

II. APPROVAL OF MEETING MINUTES

Connie Jensen asked was there any discussion on the meeting minutes from the August 16th meeting. No discussion from the Board. She asked if the Board had a motion to approve the minutes as presented. Dr. Labunski motioned and Karen Christensen seconded. Unanimously voted and the minutes were approved.

III. MEMBERSHIP UPDATE

Connie Jensen informed the Board that there was still a vacancy with the Resident Advisory Council Member. She asked that if anyone has a good candidate to submit the information to Tena Horton in order to fill this vacancy.

IV. RULE UPDATES

Connie Jensen asked Sean Dailey to discuss the Rule Updates for Part 300 Skilled Nursing and Intermediate Care Facilities Codes, Section 300.660 Nursing Assistants, Section 300.661 Health Care Worker Background Check, and Section 300.663 Registry of Certified Nursing Assistants. Sean Dailey apologized to the Board as the two (2) rulemakings that were to be presented to the Board today (Life Safety Code Updates [NFPA]). These rules were not released by the Governor’s Office for Board review, and will be available at the February meeting.

No further discussion.

IV. OLD BUSINESS

A. Status of Distressed Facility Rules and Proposed Legislative Revision

Sean Dailey indicated that the Providers Association were working on legislation and could possibly provide an update. Mike Bibb informed the Board that as promised and attempted last year, the Illinois Healthcare and other associations intend to move this legislation the coming year to address the Distressed Facilities. As stated in the past, the language would be more like Special Focus Facilities under the Federal regulation. Currently, it is not time to file this legislation. The Providers Association will do so at the appropriate time in January 2019.

No further discussion.

B. Status of Informed Consent Form and Rulemaking

Sean Dailey advised the Board that he is still working on the rulemaking amendments to the codes. Mike Bibb wanted to remind IDPH that under the Nursing Home Care Act it requires the Department to develop a form, but also to have the form online with all basic “black box” material to self-populate. The facility would only have to fill in the individual’s name, diagnosis and other identifying information. It would similar to the Wisconsin consent form. He stated that when the rulemaking amendments are ready to be reviewed, this Informed Consent Form should be included.

Dr. Maurer wanted to know the correlation between what the Nursing Home Care Act and what Wisconsin has. Mike Bibb reiterated the requirement and stated that what Wisconsin has would be compliant with what’s required in the Nursing Home Care Act. Whatever format IDPH chooses to do must still comply with the statutory language.

Dr. Maurer also wanted to know about the status of the actual informed consent form. Sean Dailey indicated that he does not develop the form and it is a Program issue. Connie Jensen informed the Board that the Informed Consent Form hasn’t been finalized and it is still be working on.

No further discussion.

C. Proposal of a Rule Change to Section 300.120 – Application for License:

Amend Section 300.120 e) by adding a new 6) “Each facility must have a facility specific email address that does not change.” This will allow for future electronic POC’s and address the IDPH SIREN and other notification needs.

Sara Wilcockson informed the Board that the draft amendment to include both changes was submitted to Legal Services the day before for review. Hopefully, this amendment will be ready for the February 2019 meeting. Mike Bibb recommended that the license renewal application completed by facilities should be amended to include the facilities’ permanent email address. This email address only exist on the one (1) page Administrator Form which is specific to the administrator. Although the current application does ask for facilities’ email address, most administrators fill out their individual email address. Sherry Barr informed Mike Bibb that when the Department goes to ePOC, this inclusion would not be helpful.

D. Discussion of PA 99-822 and Rulemaking for New Dementia Requirement

Sara Wilcockson informed the Board that this rulemaking is at First Notice and was published November 2, 2018. The 45-days expiring on December 17, 2018.

No further discussion.

E. Discussion of PA 100-0217 and Rulemaking for Nurse Waivers

Sara Wilcockson informed the Board that this rulemaking is in process and the Administrative Rules and Procedures Section (ARP) will be working with Program for additional issues to address. ARP anticipates this rulemaking will be on the February 2019 agenda as well.

No further discussion.

F. Discussion of a Change to the Emergency Medication Kits Requirement

Bill Bell introduced Greg Milanich from HCR Manor Care. The Board received a copy of his presentation. However, Bill thought that today with all of the technical difficulties that it should be postponed and revamped at the next meeting. He asked the Board what their preference would be. Connie Jensen stated that she thought it would not be a functional conversation with the difficulty of relaying information to the Board via teleconference. The consensus on the phone is that this would be a conversation best delayed until there is a more functional system. Bill suggested that before the next meeting the Board would present the proposed language change. Then, have the discussion at the next meeting in February 2019. Connie Jensen apologized to the Board for the inconvenience. She thanked Bill Bell and Greg Milanich for coming to conduct their presentation.

Dr. Labunski informed the Board that the three (3) nursing homes that she is affiliated with do not have a convenience box. Connie Jensen stated that this would be a good discussion for the future meeting.

V. NEW BUSINESS

A. Revision of LTC Facility Advisory Board Meeting By-laws

Andrew Schwartz addressed the Board and informed them that approximately 18 months ago the Open Meetings Act was amended. This would require that a physical presence occur at the meeting sites to establish a quorum for a meeting. For example, today there needs to be the members present at the public building where the meeting is being held. For today, this would be Chicago, Springfield, and West Chicago. This was the amendment to the Open Meetings Act. The by-laws have been amended to reflect this change. After a quorum has been met, through people at the physical meeting sites at the public buildings, the Board can at this point continue to open the meeting to people via independent telecommunication. It means that if someone who needs to be reached independently, then they can also call-in.

Mike Bibo made a motion to approve the change of by-laws as presented; seconded by Karen Christensen. Dr. Labunski asked if the members are to attend one of the four (4) sites via videoconferencing this would be acceptable as a public site for the Department. Connie Jensen confirmed yes. Connie Jensen reiterated the requirements as an establishment of a quorum. Voted unanimously and the motion was carried.

VI. NEXT MEETING

Next Board Meeting is February 21, 2019 at 10:00 am

Agenda items to Tena Horton at tena.horton@illinois.gov or Jason Grigsby jason.grigsby@illinois.gov by February 4, 2019.

Confirm attendance to Tena Horton at tena.horton@illinois.gov or Jason Grigsby jason.grigsby@illinois.gov by February 14, 2019.

Connie Jensen asked for a motion to adjourn. The motion to adjourn was made by Mike Bibo; seconded by unknown. Meeting was adjourned at 10:54 a.m.