

Long-Term Care Council Meeting Minutes
February 6, 2024
10:00am – 10:51am

Meeting was held virtually through WebEx.

Voting Members in Attendance:

Marsha Johnson
Casey Bailey (Painter)
Bruce Carmona
Jennifer Belkov
Melinda McDonald
Margie Logman
Stacey Aschemann

Becky Dragoo (interim Director) called meeting to order at 10:03am. Becky Dragoo advised Kelly Richards was unable to attend the meeting today because she had to attend Illinois Senate hearings at the State Capitol building.

Farrah Borders (Administrative Assistant for the State Ombudsman office) called the roll call - No quorum when meeting began, 5 members present. Will need 8 members to have a quorum.

New Business

- A. CNA Training Update from HFS – Mark McCurdy – provided a presentation on the 2022 reform package (PA 102-1035) included:
- Over \$700 million in new or redirected payments, netting facilities more than \$400 million annually
 - Nation-Leading percentage of payments tied to staffing performance, and quality, including:
 - \$350M incentive for overall nurse staffing levels.
 - \$85M Medicaid pass-through for adoption of a CNA PayScale.
 - \$70M devoted to quality performance incentives.
 - Increased reporting requirements to improve ownership transparency.

Mark McCurdy advised that the data demonstrates substantial staffing improvements in the 6 quarters following passage of the reform bill. (PA 102-1035)

- Illinois has witnessed an 11% increase in nursing home staffing ratios, outpacing improvements in other states, with the most significant improvements seen in facilities with severe staffing issues and high Medicaid populations.
- Illinois staffing level has risen from 89% to 100% of the national STRIVE target (1Q 2022 – 3Q2023)
- The average for the rest of the country has barely budgeted (116% to 117%)
- Illinois is responsible for 28% of national improvement in this time period.
- The number of facilities falling below 70% of the national STRIVE staffing target fell dramatically from 122 at the start of 2022 to just 29 in 3Q 2023.
- Total nurse staffing hours are up nearly 19% statewide, driven by an increase of 1/5 in CNA staffing.
- About 500 nursing facilities are now participating in the CNA PayScale program, encompassing 20,000+ CNA with subsidized pay increased averaging about \$4.50/hour or \$8,000+ per year for

a full time CNA.

- Mark McCurdy will provide slides of his presentation to Becky Dragoo to send out an email to everyone.

B. IDPH Presentation – Camille Hicks, OHCR – She is the new bureau chief and has been in this role for 7 months now. A committee member asked Camille, if there was a training for CNAs on compassion and empathy? Camille stated CNAs by Federal requirements are required to have 72 hours of training, but in Illinois CNAs are requested to have 120 hours. Due to CNAs being short staffed and having to complete 120 hours per year, they do not foresee adding any additional trainings regarding compassion and empathy at this time. Becky Dragoo suggested that maybe the ombudsmen programs can provide some trainings and Camille agreed to speak with Becky about changing the narrative. Lee Moriarty advised that the State Ombudsman office is doing the Artifacts of Culture change statewide training creates empathy on behalf of staff because its about person directed living but unfortunately does not have a lot of line staff come.

C. Update from AARP Illinois – Courtney Hedderman – talked about three pending legislation that AARP is currently working on.

- There is prescription drug affordability board legislation that is pending. It is called “PDAB” for short. The PDAB board consist of multiple members who will be looking at capping our highest price of drugs in our states and looking at the overall cost that people are spending on drugs no matter what their age is and now the Speaker is one of the co-sponsors of the bill and they are doing lots of things as it relates to this PDAB legislation and hoping it will pass soon. Courtney placed her fact sheets about the PDAB in the chat for everyone to review.
- Two years ago, AARP decided as an organization that they wanted to dive deeper into caregiving and they began research within five counties in Illinois, they have reviewed quantitative data for caregivers and the care recipient experiences. They had been conducting this research with focus groups and individual interviews. In two weeks, they will be releasing their findings at a press conference and holding a stakeholder convening to go over their findings. Some of their findings where people are looking for good resources, good information, trusted information, and they just don’t know where to go. Their big finding is that people felt everything is so fragmented. People would like to have a one stop shop, where they could go as a caregiver and find out a lot of information and they can do go get information for themselves. Also, community supports and/or nursing home supports. The one big question that came out of it, was most people had a catastrophic kind of situation where they were in a crisis to figure out what they were going to do for their person who was hospitalized and getting discharged. They had three days to figure out, where this person would go once discharged from the hospital, what home supports they needed or what nursing facility/rehabilitation place would be good for them. They drafted legislation to go with their findings. It’s called Caregiver Assistance and resource portal - House Bill 4687, sponsored by Representative Molar – placing all information (federal, nonprofit, professional caregiving) in one portal for caregivers.
- Last Bill - Family Caregiver Income Tax Credit House Bill 4686 sponsored by Representative Molar - which will allow caregivers to receive a tax credit.

D. STLCOP Updates – Lee Moriarty, Deputy SLTCO –

- The last Artifacts of Culture Change training was in January 2024. The training is promoting systemic change in long-term care by encouraging long-term care communities to embrace person directed living. The training was provided at eight different locations around the state. The tool is used as an assessment tool for a long-term care communities to assess

- themselves regarding person directed living within their facilities. Every regional area has their own local initiative, for example, how people are being celebrated- birthdays, anniversaries, and/or deaths. Lee Moriarty (Deputy STLCO) and Lisa Bridwell, from Telligen which is the Quality Improvement Organization in Illinois, will be giving a presentation to AgeGuide to discuss the Artifacts of Culture Change tool and quality assurance initiatives.
- They have new addition to the State Ombudsman Office – Stephen Maxwell, who was a Long- Term Care Regional Ombudsman. Stephen will be training new or old staffing.

Farrah advised Interim Director Dragoo, currently no quorum, we have 6 members present. Will need 8 members to have a quorum.

E. Update from State Agency Representatives

Gloria Simmons – five bills for this spring session 2024.

- **SB2945 - Sen. Doris Turner - NURSING HOME DISCHARGE Ombudsman Distinct Part and Involuntary Discharge:** Amends the Nursing Home Care Act. Adds (in addition to other criteria) that if a resident fails to pay or has a late payment and the facility follows the federal discharge and transfer requirements, including the issuance of a notice of facility-initiated discharge, then a facility that participates in the Medical Assistance Program may refuse to retain as a resident any person who resides in a part of the facility that does not participate in the Medical Assistance Program and who is unable to pay for his or her care in the facility without medical assistance. The House Sponsor still has to file.
- **SB2957 - Sen. Hunter/Rep. Terra Costa Howard AGING-LONG TERM CARE OMBUDSMAN Companion bill to HB4249:** Amends the Illinois Act on Aging. In a provision requiring a long-term care facility to permit the Office of State Long Term Care Ombudsman to examine and copy a resident's clinical and other records, includes access to facility incident reports. In the definition of "access", changes "express written consent" to "express consent".
- **SB2715 – Sen. Collins/ Rep. Olickal AGING-OMBUDSMAN PROGRAM Companion bill to HB 4261:**
Amends the Illinois Act on Aging. Provides that all records containing resident, participant, and complainant information collected by the Long- Term Care Ombudsman Program are confidential and shall not be disclosed outside of the program without a lawful subpoena or the permission of the State Ombudsman. Permits the State Ombudsman, at his or her discretion, to disclose resident or participant information if it is in the best interest of the resident or participant. Requires the Department on Aging to establish procedures for the disclosure of program records by the State Ombudsman. Provides that the procedures shall prohibit disclosure of a resident's identity in case records unless the resident gives consent.
- **SB2650 - Sen. Holmes/Rep. Ladisch Douglas - ASSISTED LIVING AND SHARED HOUSING ADVISORY BOARD companion bill to HB4427:** Amends the Assisted Living and Shared Housing Act. Provides that one representative of the Office of the State Long Term Care Ombudsman (instead of one representative of the Department on Aging) is a nonvoting member of the Assisted Living and Shared Housing Advisory Board. Adds a certified long term care ombudsman and 3 current or former residents of an assisted living establishment or shared housing establishment as voting members of the Board.
- **Discharge and Transfer regulations- Currently -No bill number.** This bill is being reviewed by Kelly Richards and as soon as it is approved it will be sent to Senate and House Sponsors, once

thy have filed, we will have a bill number. This bill amends the Nursing Home Care Act and the Assisted Living and Shared Housing Act. These changes would strengthen the rights of residents in all nursing homes as well as assisted living and shared housing establishments by aligning transfer and discharge language with federal regulations. This legislation would help prevent what is known as “hospital dumping,” and help long-term care residents remain in their homes. This initiative would not require an immediate effective date.

HFS Update - Janene Brickey

- For residents in the nursing facilities, the personal needs allowances (PNA) have changed from \$30 to \$60 effective January 1, 2024. Legalization pending the PNA. She provided the website of the notice: <https://hfs.illinos.gov/medicalproviders/notices/notice.prn240125a.html>
- With Legislation, there have been several bills introduced regarding the PNA and in the other long term care settings as well. They are watching these bills very closely.

Medicaid Fraud Unit - Cathy Barbour – no updates at this time.

DHS Olmstead Com Update - Ali Johnson – not available

Veteran Affairs Update - Anthony Vaughn – not available

Veterans Home Update - Angela Simmons – not available

Secretary of State updates - Josh Potts – not available

Illinois Guardian and Advocacy Commission - Teresa Parks

- SB2663 - Couple of years ago, they sponsored legislation called “supportive decision making” as an alternative to guardianship with the focus on individuals with intellectual disabilities, but they have received feedback that it should include any adult at this at risk for guardianship. This bill will expand to “all adults” including seniors. She is encouraging for everyone to review the bill. They would like to link it to the Illinois Probate Act. Supportive decision making as an option before appointing a guardian as well to end a guardianship if someone has access supported decision-making agreement. This expands the scope of support of supported decision-making other states have already done.
- They are working on their guardianship trainings to include dementia and Alzheimer. They are collaborating with the Alzheimer’s Association on the required changes.
- They are having the Illinois Guardianship Conference on May 1, 2024, in Chicago. Some of the topics are People with disabilities and older adults’ issues surrounding guardianship. Teresa provided the website for her department for registration.
<https://www.illinoisguardianship.org/about-us>

Brian Pastor – Financial Summit on February 14, 2024, in Springfield, IL. The targeted audience is for older adults. They will be educated on the department on aging regarding financial exploitation. Brian provided his email address for more information: Brian.pastor@illinois.gov

Director, Division of Rehabilitation Services – Rahnee Patrick is not available today and Molly Chapman is her representative. She stated the Colbert/Williams class members who are receiving

or who have been referred to received home services program services, they have made a change to their medical documentation. Before the residents would need a signature from a medical physician for eligibility, but they change this to allow nurse specialist, nurse practitioners and physician assistants to sign the medical documentation. This has sped up the eligibility and transition the number of class members that are needing these services.

Department of Public Health – Camille Hicks – They are in the process of working on their annual report and will be submitted to the general assembly.

Farrah advised Interim Director Dragoo, currently no quorum, we have 6 members present. We were unable to discuss old business due to no quorum.

Interim Becky Dragoo adjourned the meeting at 10:51am.