

**Minutes of the Meeting of  
The Illinois Long-Term Care Council  
Tuesday, July 19<sup>th</sup>, 2016  
10:00am – 3:00pm**

Location: Department of Natural Resources Building  
One Natural Resources Way, Lakeview B and C Conference Rooms  
Springfield, Illinois

**Call to Order**

The meeting was called to order by Director Bohnhoff at 10:03am.

**Announcements**

Director Bohnhoff announced that the Council had two new members – Rita Dougherty and Brenda Winkill.

Introductions were made by attendees. Roll was taken by Jessica Blood.

**Voting Members Present:** Rita Dougherty, Ann Ford, Stephen Iden, Marsha Johnson, Pam Neibuhr, Carolyn Peck, Wayne Smallwood, Greg Wilson, Brenda Winkill, Jamie Freschi

**Voting Members Present via Teleconference:** Lori Hendren, John Hosteny, Phyllis Mitzen, David Sutor

**Voting Members Absent:** Bill Bell, John England, Matt Hartman, Donald Schuchmann

**State Agency Representatives Present:**

**Department on Aging** – Director Bohnhoff, LaRhonda Williams, Erin Davis, Jessica Belsly, Jose Jimenez

**Department of Healthcare and Family Services** – Janene Brickey

**Department of Veteran’s Affairs** – Gwen Dehl, Lenard Winnicki

**Illinois State Police Medicaid Fraud Unit** – Phil Miller

**Department of Public Health, Office of Health Care Regulations** – Darlene Harney

**Secretary of State** – Mary Riseling

**State Agency Representatives Present via Teleconference:**

**Department on Aging** – Alex Burke

**Guests and Others on Phone:** Bunny Hamer, guest

**Recorder:** Jessica Blood

## Approval of Minutes

Jamie Freschi requested the correction be made to the legislative update section of the April 26<sup>th</sup>, 2016 minutes that the Department's position on HB 4249 is changed to the Ombudsman's position. Phyllis Mitzen requested that action items be clearly marked to be picked up easily for the next meeting.

**Motion:** Wayne Smallwood made the motion to approve the April 26<sup>th</sup>, 2016 meeting minutes with the proposed corrections. Marsha Johnson seconded the motion. All members voted aye and the motion carried.

## Public Forum

Chairman Iden opened the meeting up for a public forum. No comments were offered.

## Old Business

### ***2016 Ethics Training***

Erin Davis reiterated the importance of completing the mandatory Ethics training.

**Action Item:** Council members requested that Jessica Blood send out an additional email requesting completion of the 2016 Ethics training.

### ***Annual Report***

Chairman Iden addressed

- Sub-committee – he and Jamie working together
- Doing FY15, then FY16; then history
- Jamie – action points specified in minutes and goals of Council specified; compare with annual report to determine the Council is serving its purpose

**Action Item:** Phyllis Mitzen stated that she would look back at her files for a draft annual report; will send to Jamie and Steve

**Action Item:** Compare April 2015 minutes; use as a guide

Jamie – inclusions: legislative actions, membership actions, future goals of the Long Term Care Council

Director Bohnhoff – beefing up monitoring; Long Term Care Council is a step ahead with the annual report. Have had hiccups with two directors, new state Ombudsman and member turnover

## New Business

### ***Approval of Updated Membership List***

**Motion:** Mary Riseling moved to approve the updated membership list. Wayne Smallwood seconded the motion. All members voted aye and the motion carried.

### ***Legislative Update***

Alexander Burke gave the following legislative updates:

- Governor Rauner signed HB 4826 – Fatality Review Team meeting reduction

- SB 2929, that was opposed by the Council – version passed very different from original; pre admin proc – done before 2014 law change, CCU – assess doc, dir to NH/CCU unable to complete – must report to the Department on Aging, hospital 24 hour notice to CCU

**Action Item:** Alex will be posting bills on the Department on Aging's website as the Governor signs them.

Jamie Freschi inquired about 5009 SMHRF bill – has amendment, add Long Term Care Ombudsman to jurisdiction to SMHRF

Jose – 2929: part that Department on Aging tracks? – notified if screening process not done properly; rules with HFS to address; Department on Aging has process – many nursing homes don't know this Let us know where the breakdown is and we can correct it; form #3864  
Need to know when there is a problem; work together

Director Bohnhoff: was a CCU; familiar with the process – need better communication with 24 hours' notice from hospitals – prepare for discharge at admission – copy of rule with form, fax to hospital – anything we can do to help?

140,000 screens statewide last year, hospital association and nursing home association – communicate together

Have tracking system; continue to reach out

Wayne Smallwood: Department on Aging reviewing screening process through BIP/UAT; great opportunity to educate – loss of training and lack of education with staff turnover

Jamie Freschi – removing hospital is taking out layer that potentially creates problems

Jose – let us know if having problems with process; need to know where problems  
Wayne – Supported living facilities included? Yes

Alex Burke – HB 5805 – Statute of Limitations – Crimes against seniors; within 7 years  
Phil Miller asked about the status – on Governor's desk; Steve Iden – include tolling provisions? Alex – just changes statute of limitations

HB 5924 – Guardian Cont Adult children – allows court to order guardian to permit adult children to visit; status – on Governor's desk

Clean up to E Mon – HB 5603; adds ... MCDD facilities, public health assistance; Status – on Governor's desk

Miseracordia – SB 2610; on Governor's desk – amendment places more power in DHS and HFS hands; plans – budget neutral

Summary from Miseracordia – they are all-encompassing; intent: consolidate all licenses to one covering all; continuum – waiver just for them

Even if consolidated, all rules and regulations still apply

Jamie Freschi asked if it would change the Ombudsman jurisdiction; Alex stated that the bill doesn't specifically address that.

Chairman Iden asked if there were any bills in the legislative process that the Council needed to be aware of. Final day of session; over 400, all we were tracking. Session in November after elections. Chairman Iden then inquired about the status of the Council proposed change in legislation with regards to their membership statute. Alex stated that he would get that information to the Council members.

Director Bohnhoff asked if the Council had a position on any bills. Chairman Iden stated SB 2929 example; Alex replied that the filing deadline had already passed but it was on the list of possible initiatives for the fall session.

**Motion:** Chairman Iden entertained a motion to amend the proposed legislation to increase the Council membership back to 30 members. Phil Miller moved to amend the proposed legislation to increase the Council membership back to 30 members; Ann Ford seconded the motion. All members voted aye and the motion carried.

### ***2016 Senior Hall of Fame Awards***

Send in nominations by August 28<sup>th</sup>

Wayne Smallwood asked about the Caregiver of the Year award Governor's Conference this year? Jose stated that some of the awards are done by law; with the budget impasse and trying to figure out stop-gap funding, there is not enough funding to cover Governor's conference.

CCU foundation will cover some of the award presentation

State Fair Senior Day – some more awards presentation

Will present at events across the state if there is an opportunity

### ***Department on Aging Update***

Director Bohnhoff stated that the Department staff is stewards of taxpayer dollars; the Governor's conference is not top priority in the current budget situation; looking at other venues for awards presentation is the right thing to do

Training being revamped – webinars; will still offer face to face, good participation in webinars, training on how to interact with Seniors

Planning division – federal CMS musts, then develop training for mandates

Monitoring efforts expanding – deficiencies need explained; corrective action plans – what will compliance take?

State Fair

9:00am – 5:00pm on weekdays; 9:00am – 7:00pm on weekends

A lot going on at the Department – any volunteers to help; please send name and contact information.

Phil Miller stated that ISP Medicaid Fraud Unit would like to be there on Senior Day; Director Bohnhoff stated that she would give Elizabeth his contact information.

Director Bohnhoff stated that she is now on the Medicaid Fraud Task Force; good opportunity to share

HHS Transformation – Director involved; working on new 1115 waiver with possible submission in the fall. Need to prepare something that something that will affect every population in Illinois – behavioral health. Moving forward, have held two public forums; progress continuing.

### ***Long Term Care Ombudsman Program Benchmark Presentation***

Jamie Freschi stated that due to the budget impasse, the Long Term Care Ombudsman program would be keeping their current benchmarks but would not be holding the regional programs to them without funding.

Jessica Belsly – PowerPoint presentation contracted with...

History – State and Ombudsman compared with California, Georgia and Ohio  
Report

Closed cases – Jamie stated that the difference between a complaint and a case:

A complaint is a single issue that the Ombudsman is actively trying to resolve

A case is one or more complaints on behalf of one resident

Consultation is when a resident has a complaint and the Ombudsman has suggested several methods to resolve the issue; this is not considered a complaint.

In-service visits:

Wayne Smallwood – under assisted living and shared housing

Board and in care

Licensed for; some are unlicensed, no jurisdiction

Any that Ombudsman have jurisdiction; CILAs – no jurisdiction

FTE = full time equivalent

Inquiries – not related to long term care facility

In the past – program not meeting benchmarks – remedy tool plan; currently – no budget, no remedy tool; provide three month plan ahead of time to comply with federal requirements

Jessica Belsly stated that the full report had green with 98%, yellow with 85%-97% and red with below 85%

Phyllis Mitzen – budget – is this tool enabling programs to complete Ombudsman requirement?

Targeting specific problems? Yes – focus on facilities with problem areas; priority

Jamie Freschi stated that the Regional Ombudsman meeting would focus on best practices and better time utilization.

Saw different philosophies with budget – some went ahead with the work; others were more conservative

Don't make assumptions on data without background

Action Item: Jamie Freschi stated that she could send out the Long Term Care Ombudsman program benchmark report to the Council members with subsequent meeting documentation.

Phyllis Mitzen – note section possible for unique situations? for problem areas

Marsha Johnson suggested having them explained during meetings; Phyllis – ok; Jamie – questions in the meantime, reach out

### ***Department Reports***

#### **Department of Healthcare and Family Services**

Janene Brickey gave the following updates:

- New CMS Rule – HCB waivers
  - following through with transition plan
  - on target
  - All Medicaid providers required to enroll; cloud based; hopefully done by end of September
  - Mo. direct billing bumped to October 1<sup>st</sup>
    - 11 in person trainings
    - 3 webinars
    - Working on testing
  - MLTSS rolled out July 1<sup>st</sup> – res. opted out of MMAI: no hiccups so far

Darlene Harney asked if there were issues with providers regarding payment to the facility when MCO decides not to take on .... contracts

encouraging providers to contract with multiple  
bureau of Managed Care should be notified

Jamie questions – Jamie – keeping track of...

Janene – Bureau of Managed Care – Michelle Maher

Concern – residents may be discharged because of no contract with the MCO

Darlene question – always have choice to go back to MMAI (Medicare funded) anytime

Discussion – smaller providers, Greg, Janene and Jamie

Janene – only in Chicago greater area for that reason

#### **Illinois State Police Medicaid Fraud Unit**

Phil Miller reviewed the purpose of his unit for the new members of the Council – to investigate abuse and neglect of long term care residents and to investigate providers who misuse funds, not individuals. He then gave the following updates:

- Reporting – lost two from his unit; competing with other agencies in the state
- Drug diversion problem continues
- Financial Exploitation initiative – HB 6079; working group created to discuss the project
  - project is on track; need to discuss goals
  - Jamie has numbers and will email to Council members

Rita Dougherty stated that in her time as a resident, five of seven managers left and then new staff was trying to learn their duties at the same time. This caused discomfort among the residents and though complaints were filed, nothing was being investigated.

## **Department of Human Services – vacancy**

**Action Item:** Department on Aging staff need to reach out to DHS for representation on Long Term Care Council

## **Department of Veterans Affairs**

Lenard Winnicki described long term care facilities – Quincy, Manteno, LaSalle and Anna  
Wayne Smallwood inquired about homeless facilities for veterans. Lenard replied that they have a 50 bed unit in Manteno.

Jamie Freschi inquired how the facilities are regulated. Lenard replied that they are licensed by the Department of Public Health and are certified by Federal CMS.

Adjutants – advocates

Call Department of Public Health hotline

## **University of Illinois at Springfield Gerontology**

Carolyn Peck gave the following updates:

- UIS was recipient of stop-gap bill funding – encouraging but still concerned about MAP grant funding
- Overall enrollment is level; enrollment in gerontology is strong
- Thinking of reinstating Taking Care of Aging Family members support group

## **Department of Public Health**

Darlene Harney gave the following updates:

- New Assistant Director – Donald Caroff
- Oversee regulation and licensing of nursing homes
  - Special investigation unit – works with Illinois State Police
  - QA division – new chief Sherry Barr
    - Connie Jensen is now field operations, training and education section chief
- Field Staff
  - Bellwood ... - hired more surveyors; trouble keeping numbers up
- Long Term Care Advisory Board
  - 6/10 vacancies filled; need to fill 4 others
  - 2 public member vacancies, one resident advisory council member and one advocacy member
  - Email Darlene with contact information if interested
  - Legislation
- Department is forging ahead with surveyors despite budget impasse
- Meeting quarterly with Ombudsman program

## **Ombudsman Program**

Jamie Freschi gave the following updates:

- Long Term Care Council now full; welcome and thank you to new members
- FY15 Annual Report
  - Activities; happy
- Federal Ombudsman/Older Americans Act rules effective July 1<sup>st</sup>
  - Rough draft for State rule with Erin Davis in legal; work in progress

**Action Item:** Looking for feedback?

- Incorporated expansion
- Need to update and add expansion policies and procedures
- Jamie Freschi, LaRhonda Williams and Jessica Belsly are working on Level 1 training
  - adding information about role in community
- RFPs for sent out; need to review and designate FY17
- Money Follows the Person will sunset June 30, 2017
  - working with those wanting to move back to community

Chairman Iden asked if there were any other questions or comments from the Council members. Hearing none, he added that if any members have ideas for speakers, topics or goals, they should email Department on Aging staff to add to the next meeting agenda.

**Motion:** Chairman Iden then entertained a motion to adjourn the meeting. Wayne Smallwood moved to adjourn the meeting. Carolyn Peck seconded the motion. All members voted aye; the motion carried and the meeting adjourned at 1:00pm.