**Via Zoom/ Conference Call:** Lisa Berkemeier (Graceworks); Salli Bollin (MemoryLane Care Services); Megan Bradford (Episcopal Retirement Services); Renee Cummings (AccessCo); Chris Green (Otterbein SeniorLife); Jeff Lycan - Vice-Chair (Ohio’s Hospice); Cory Parish (Shepherd of the Valley); Megan Kelley (National Church Residences); Scott Maloney (K2M Design); Rick Marshall (Genacross); Wendy Price-Kiser - Chair (Ohio Living Home Health & Hospice); Mike Ray (Green Hills Community); Allison Salopeck (Jennings)

**Absent:** Denise Bauer (FairHoPe Hospice); Kim King (Home Care Network);

**Staff:** Kathryn Brod; Patrick Schwartz; Anne Shelley; Susan Wallace

Guest: Bridget McAuliffe (Barnes & Thornburg)

1. **Welcome, Call to Order & Check-In**

Wendy Price Kiser (Chair) called the meeting to order at 10:05am. Allison Salopeck was introduced as the incoming chair to the Advocacy Committee. Wendy directed committee members to the meeting summaries of the previous Advocacy Committee meeting, as well as subcommittee meeting summaries. The Advocacy Committee summary was received without change. Salli Bolin of Memory Lane Care Services in Toledo was introduced and welcomed as the chair of the newly-formed Adult Day Subcommittee; this subcommittee will be co-chaired by Selena Pittman of McGregor, but Salli will serve as the liaison to the Advocacy Committee. Subcommittee chairs were asked to highlight any additional updates from information contained within the meeting summaries. Jeff Lycan noted that their subcommittee had continued to discuss the Hospice Respite Care Relief Act, a federal bill that would make certain modifications to the respite level of care that would benefit families during the COVID-19 pandemic.

1. **Statehouse update**

Bridget McAuliffe reported that the leadership of the new General Assembly brings a fairly seasoned leadership team, as well as several younger leaders. The leadership team that will surround House Speaker Cupp includes:

* Rep. Ginter, current chair of the Aging & Long-Term Care Committee will be Speaker Pro Tempore;
* Rep. Seitz is retaining his position as Majority Floor Leader;
* Rep. Carfagna, Assistant Majority Floor Leader;
* Rep. Don Jones Majority Floor Whip;
* Rep. Abrams, Assistant Majority Floor Whip.

The Senate has also elected their leadership:

* Sen. Matt Huffman will serve as Senate President;
* Sen. Hottinger, President Pro Tempore;
* Sen. Schuring, Majority Floor Leader;
* Sen. McColley, Majority Whip.

Both Senators Huffman and Hottinger are on the current Senate leadership committee. Bridget described the very challenging budget environment anticipated, with overall revenues down as a result of the pandemic. In the meantime, lame duck is proving very busy, with many bills/amendments moving through leadership.

* 1. **HB509 (expedited licensing bill).** This bill addresses the delays experienced when assisted living requests certification of additional beds. The bill requires ODH to allow AL to pay a fee for expedited review, similar to the options available at initial certification. HB509 has passed the House, but there is uncertainty regarding whether there is sufficient time for the bill to make it through the Senate before the end of session.
  2. **HB 498 (tax credits available for home modifications)**. This bill provides up to $10M in tax credits for those who need to make home modifications or pay privately for home care or other services, in order to remain in their homes. This bill was passed out of the Aging & Long-Term Care Committee, but is unlikely to make it through the Senate. It is possible this will be included in the biennium budget bill.
  3. **STNA online education**. LeadingAge Ohio has worked to develop language that would allow the classroom portion of STNA training to be completed online. There appears to be little controversy/objection to the language, but it’s uncertain whether the Senate will incorporate the amendment into existing legislation before the end of the session.
  4. **HB770 (essential caregiver)**. This bill arose from family frustrations of not being able to visit loved ones during COVID. LeadingAge Ohio has helped educate the bill sponsor regarding the importance of aligning the bill with federal visitation, i.e. the “compassionate care” component of CMS QSO-20-39. Written testimony was provided and amendment language offered; LeadingAge Ohio staff is hopeful that the bill will be much improved from its as-introduced version, which would have opened long-term care to too many individuals, posing significant infection control risk. This bill would only last as long as the PHE.
  5. **HB461 (Electronic surveillance (“camera bill”).** This legislationwould allow long-term care residents and family members to elect to install electronic monitoring devices in resident rooms. The Advocacy Committee had a robust conversation about the topic early in 2020, including noting that may telemonitoring technologies incorporate some sort of camera surveillance. LeadingAge Ohio testimony drew from the Committee’s input, raising topics of dignity, security of data, wi-fi capabilities and associates costs.

1. **Regulatory Update**

Three regulatory updates were provided:

* 1. **The Post-Acute Regional Rapid Testing program (PARRT).** PARRT was introduced through a partnership with National Church Residences, Central Ohio Geriatrics, Ohio Living and LeadingAge Ohio to help address the needs of testing individuals in long-term care settings without requiring them to leave facilities for the testing. PARRT also included expert consultation after-testing, to help care for individuals in-place and reduce pressure on the anticipated hospital surge. As the pandemic has evolved, the need for the program and the settings in which it might function have grown and changed. Particularly valuable have been the expert consultation post-testing. The Administration has decided to scale the program, and the Controlling Board has approved funding for the program to be expanded statewide.
  2. **Survey frequency.** Survey frequency has increased dramatically in recent weeks, as requirements of the Centers for Medicare & Medicaid Services (CMS) mandate focused infection control surveys for new outbreaks. The process is repetitive and challenges providers who are already working with extraordinary demands related to testing and COVID caregiving. ODH has acknowledged that their bandwidth to cover the frequency of survey has been stretched thin. LeadingAge Ohio has asked ODH to modify its documentation requests to ease provider burden in this regard, but ODH lacks the authority to do so. CMS has signaled that they are working towards modifying the process, but with no target date in sight.
  3. **DiseaseWatch.** Kathryn reminded the Committee of the DiseaseWatch program that has been discussed at previous meetings. The program would leverage technology developed by RealTime, which pulls clinical data from electronic medical records on an hourly basis and searches it for changes that could indicate a localized outbreak. LeadingAge Ohio has been working with the staff of RealTime, as well as with IPRO and the Ohio State University Office of Geriatrics & Gerontology, to finalize a proposal for the Administration to consider. LeadingAge Ohio has also met with Director McElroy regarding the program, who was very interested. However, there may be insufficient time remaining before CARES Act funding expires to get the necessary funding approved by the state.

1. **Funding update & Budget Planning**  
   Relief funding for providers continues to evolve at the federal level, as negotiations are underway on another stimulus bill. States like Ohio, with some unspent funds, are looking to the end of the year as important line of demarcation. For the direct provider relief from HHS, there is flexibility in the timing of expenditures. A provider can file a report in early February 2021 to show how much of the CARES funding was spent in 2020; the provider then has until June 2021 to spend any remaining funds, with a final report filing due in July. Ohio Department of Medicaid staff has indicated that the Treasury Department, which awarded relief funds to the state (some of which were subsequently awarded to providers) has not allowed this same flexibility. Some of the funding at the federal level is taking back $$ from other areas where funding hasn’t been spent. LeadingAge is advocating for flexibility in this spending.   
     
   LeadingAge Ohio staff met with ODM’s leadership to talk about the biennium budget and the leadership noted that they are facing challenges related to what the implications of scaling down Medicaid eligibility will look like after the pandemic. This next phase of pandemic and its ongoing economic impact creates much uncertainty. Committee members agreed that vaccine distribution questions and potential impact on providers adds to the uncertainty.
2. **Budget Priorities**

Susan Wallace walked through the “LeadingAge Ohio Budget Preparation” document prepared from previous committee discussions. Budget priorities included:

* **NF quality incentive payment (QIP)** and other rate-related proposals, including rebasing. LeadingAge Ohio has had preliminary meetings with the Ohio Department of Medicaid (ODM) related to NF QIP and other payment-related topics. ODM indicated that they had submitted their budget to the Administration, but anticipated changes on a month-to-month basis, as tax revenue projections change. ODM suggested we meet again early in the new year, and also requested concepts for “whole system reform” rather than the silo’ed, piecemeal approach that budget advocacy often takes.
* Regarding the **AL waiver rate**, which was the top priority during the last biennial budget, has not been identified as a priority by the assisted living association, given all of the more-pressing challenges related to occupancy, PPE, staffing challenges during the pandemic. Some committee members expressed reticence to sideline this policy proposal, since so much effort has gone into educating the legislature on it. Others noted that in the midst of the pandemic, ODA had dedicated more staff to managing the program, which could signal a desire to invest in it. Furthermore, it is an important program for housing-based assisted living models, to ensure that low-asset individuals have an alternative to costly nursing facility care.
* Disability Rights Ohio has put together a coalition to advocate for increased wages for direct service providers that offer care in **Ohio’s home- and community-based programs**. During the last budget, persistent focus on this area secured a boost in wages for waivers managed by the Department of Developmental Disabilities (DoDD), but not for those managed by the Department of Aging or ODM. Unfortunately, the group is very HCBS-focused and critical of nursing home care, which is at odds with LeadingAge Ohio’s continuum-based perspective. Committee members questioned whether their HCBS approach was inclusive of assisted living, and whether an overarching, unified message could be developed across aging services.

Committee members expressed reticence to make final decisions on budget priorities during this meeting, but instead asked that LeadingAge Ohio schedule a dedicated meeting for the topic, and create a survey to be completed prior to the meeting. They asked for additional information to provide context for each issue, including how much effort would be required for any priorities, whether there were likely allies or other avenues to achieve the stated goals. The first four items on the list have had a significant amount of work already done, having been previous policy priorities. The remainder would need to be built “from the ground up” and in short order. Furthermore, Susan noted that adult day services hasn’t received an increase in reimbursement since 2007 so, though new, it will be a likely high priority. A meeting will be scheduled before the Christmas holiday.

1. **2021 Participation**Susan Wallace thanked Advocacy Committee members for their participation in the 2020 Committee work and asked for Committee members to confirm their willingness to continue serving in 2021.
2. **Adjournment**

Appreciation was conveyed by Susan Wallace for Wendy Price Kiser’s leadership these past two years. With no new business, the meeting adjourned at 11:35am.

***Next Committee Meeting: January 7, 2021 via Zoom.***