

North Dakota Department of Health

LONG TERM CARE ADVISORY
COMMITTEE MEETING MINUTES

May 14, 2014
10:00 a.m. – 3:00 p.m.

Committee Members Present:

Shelly Peterson, Executive Director, ND Long Term Care Association
Darleen Bartz, Chief, Health Resources Section, ND Department of Health
Lucille Rostad, Program Manager, Division of Health Facilities, ND Department of Health
Michelle Lauckner, North Dakota Health Care Review, Inc.
Rocksanne Peterson, Recorder, Division of Health Facilities, ND Department of Health
Randal Albrecht, Chair, ND Board of Examiners for Nursing Home Administrators
Dr. Bruce Hetland, Bismarck Medical Director, Nursing Home Medical Directors Association
Bruce Pritschet, Director, Division of Health Facilities, ND Department of Health
Barb Groutt, North Dakota Health Care Review, Inc.
Monte Engel, Division of Life Safety & Construction, ND Department of Health
Carole Watrel, AARP
Gregory Salwei, Chairman of the NDLTC Association, CEO Wishek Living Center

Committee Members Absent:

Arvy Smith, Deputy State Health Officer, ND Department of Health
Dave Remillard, Public Member, Minot
Karen Tescher, Assistant Director, LTC Continuum, DHS
Bev Herman, Education Director, ND Long Term Care Association
Joan Ehrhardt, State LTC Ombudsman, ND Department of Human Services
Representative Gary Kreidt, ND House of Representatives (New Salem)

Welcome

A meeting of the Long Term Care Advisory Committee was called to order at 10:05 a.m. on May 14, 2014. The meeting was held in the AV 212 Conference Room at the State Capitol. Darleen Bartz welcomed everyone to the meeting and introductions followed.

Public Comment

No comments.

Approval of Minutes

The minutes from the March 4, 2014 Long Term Care Advisory Committee meeting were distributed and reviewed. Barb Groutt made the motion to approve the minutes with corrections; Greg Salwei seconded the motion. Motion carried.

Standing Reports & Legislative Update

Legislative Update: Representative Gary Kreidt Absent.

- No report given.

North Dakota Long Term Care Association: Shelly Peterson.

- Shelly gave an update on the NDLTCA Legislative Priorities.
 - One of the items on the list of priorities is proposing to legislation to create a requirement for contract nurse agency registration, minimum standards of operation and a limit on contract nursing fees. There have been concerns with CNA's starting a contract nursing service and not having the proper people provide oversight. Shelly will bring forward to the Health Department for input once the details and standards have been worked out.
 - Randy spoke about the importance of maintaining the operating margins and incentives.
- Shelly also talked about working with basic care and assisted living facilities on hospice issues and having an exception process for end of life.
- The Long Term Care convention had just ended on May 1, 2014. They had approximately 800 people in attendance.
- There is an opening for a part time Emergency Planning position at NDLTCA. They are looking at filling the position sometime this summer.
- Bev Herman will be retiring from NDLTCA in May 2015. They are looking at hiring someone before she retires.
- Greg spoke about Blue Cross and Blue Shield rates increasing as much as 18% for nursing facilities.
- Greg also talked about the VA sending non-OSHA approved syringes and lancets to nursing facilities that have veterans as residents.

North Dakota Healthcare Review, Inc (NDHCRI): Barb Grout.

- Barb gave an update on the regionalizing the QIO (Quality Improvement Organization) program which will take place on August 1, 2014. States included in North Dakota's region are South Dakota, Nebraska and Kansas. There will be a conference call on June 26th for survey/certification and QIO coming out of Kansas to develop survey strategies. Michelle will forward the information to Darleen, Bruce and Shelly. A group called KePRO will be doing beneficiary complaints for North Dakota. Barb is still waiting to hear more on the transition.
- Barb reported that they are continuing to work with assisted living facility on quality of care and end of life.
- North Dakota Healthcare Review, Inc. will be changing its name. They have had several suggestions; as of today nothing has been decided on.
- Michelle Lauckner gave an update on the collaborative. She would like to have 75% of the nursing homes taking part in the collaborative but only 69% are currently taking part. Every one of the facilities involved has improved on their quality indicators. She has identified 21 facilities that have not reduced the use of antipsychotic medications. Nineteen of them are working on performance improvement projects. The facilities have really been engaged and making improvements. Michelle also spoke about the dementia care project, working with the CDC and the Stadter Center.
- Michelle talked about the North Dakota Culture Change Coalition. The goal of this coalition is to be an action-oriented collaboration representing providers, resident advocates, state and federal regulators, and direct care workers dedicated to starting a new conversation about care in nursing homes.
- Michelle also talked about a presentation that she attended at the Long Term Care convention regarding waking a resident or patient multiple time during the night. There

was a discussion regarding about adjusting residents' fluid intake so they wouldn't have to be awoken during the night.

State Ombudsman: Joan Ehrhardt Absent.

- No report given.

Division of Health Facilities: Bruce Pritschet.

- Bruce reviewed the Citation Frequency Reports for the Nation, Region VIII and North Dakota. The most frequently cited deficiencies in North Dakota are F0323, F0309 and F0441. Frequency of Data Entry, mean # of days to data entry 39.5.
- The average number of deficiencies cited in North Dakota is 5.51. North Dakota is currently the lowest in the region and slightly lower than the national average of 5.62. The national average includes the QIS (Quality Indicator Survey) states. Bruce had the option of running a traditional report, QIS report or both. He chose to run a report that included both. QIS has been revamped since it was initially implemented.
- The number of double G citations in North Dakota is three. F0323, F0309 and F0314 are the tags that are being cited. Bruce and Lucille spoke about the imposition and ban on admissions for facilities that have back to back G's. Even if a facility has a G they could receive a ban on admissions if they are not in compliance following a revisit.
- Bruce reported that we have been directed to select a Special Focus Facility.
- Darleen briefly spoke about CMS staffing, civil money penalties and IIDR's.

Division of Life Safety & Construction: Monte Engel.

- Monte reviewed the average number of Life Safety and Construction (LSC) deficiencies which are 1.46. He also reviewed the LSC Citation Frequency Report for North Dakota, Region VIII and the Nation. The most frequently cited deficiencies for North Dakota are K0062, K0012, and K0038.
- Monte did a presentation at the NDLTCA convention. He has heard that attendees would like to have a longer LSC session.
- Cathleen Feland has been hired to do construction inspection and plans review.
- A maintenance manual is in draft form and will need to go through the public information office before it can be published.
- Monte is anticipating the construction standards will be revised by this time next year. The 2012 construction standards will have to be adopted at that time as well.
- CMS has completed one FOSS and four look behind LSC surveys.

Old Business

New Business

Report of Long Term Care Study: LeeAnn Thiel, Department of Human Services, Division of Medical Services

- LeeAnn Thiel presented the Interim Report on the North Dakota Long Term Care Study. The purpose of the study is to review and evaluate the long term care continuum in North Dakota and to provide two comprehensive reports. The study focused on the three different levels of planned care; payment systems; systems to improve access, choice and quality of care and life; as well home and community based services. LeeAnn reported on the service gaps and the options to reduce them. She also spoke about mental health and behavior issues. The report stated that despite high quality marks in staffing, North

Dakota has room for improvement. The report also stated that North Dakota ranks below the national average of CMS quality measures such as urinary tract infections, pressure ulcers, loss of control of bowel and bladder, restraints, weight loss, and antipsychotic medications.

- The committee felt North Dakota was doing better than what the report stated. LeeAnn was asked how this report will be used. She stated the study was designed to assist The Department of Human Services; Medical Services Division, in evaluating additional options to continue efforts to appropriately, effectively and creatively meet the needs of current elders and others needing long term care. A final report of the study will come out in July. The committee would like LeeAnn to come back with the final report at the next Long Term Care Advisory Committee meeting.

Report of Assisted Living Workgroup: Shelly Peterson

- Shelly reported the workgroup has been meeting to review the assisted living model. The group is looking at additional requirements for assisted living facilities and updating or amending North Dakota Century Code 50-32. Shelly reviewed the proposed changes. The Long Term Care Advisory Committee recommended changing the verbiage for #4 under 50-32-05 Assisted Living Facilities – Duties and Requirements. Shelly is hoping to have a bill drafted by December. The workgroup discussed medication administrative assistants in the assisted living and basic care facility. They also discussed providing resources to the administrators regarding medication administration.

Discussion/Other:

Lucille Rostad handed out the S & C documents as follows:

- S&C: 14-18-NH: Advanced Copy: Update of State Operations Manual (SOM) Chapter 7 and Survey Process Timeframe Reminder.
- S&C: 14-19-NH: Interim report on the CMS National Partnership to Improve Dementia Care in Nursing Homes: Q4 2011 – Q1 2014. Shelly inquired as to whether we are seeing improvements on the use of psychotropic drugs. Lucille reported that we are seeing improvements.
- S&C: 14-20-NH: Fiscal Year (FY) 2014 Post Sequester Adjustment for Special Focus Facility (SFF) Nursing Homes. Lucille talked about the selection process of a SFF; CMS suggests five facilities and we choose one of them.
- S&C: 14-22-NH: Focused Minimum Data Set (MDS) and Dementia Care Surveys.

Dr. Bruce Hetland briefly spoke about the Nursing Home Medical Directors Association. He has retired from his clinic practice and is focusing on Long Term Care practice.

Next Meeting

- Date and Time:
 - Wednesday, August 13, 2014, 10:00 a.m. – 3:00 p.m., Room 212, State Capitol
- Potential Agenda Items:
 - Medication Assistant Toolkit
 - 11th Scope of Work
 - Update on Long Term Care Study – LeeAnn Thiel

Meeting adjourned at 2:20 pm.