

WEBINAR

TREATMENT AND WORKPLACE CONDITIONS FOR DIRECT CARE WORKERS

A Discussion with State Ombudsmen and
Program Representatives

24

MAY
2022



2:00PM-
3:00PM ET

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The National Long-Term Care
Ombudsman Resource Center

ADVANCING
STATES 



About Today's Discussion

- Please do not unmute your line unless you raise your hand, and we call on you.
- You can submit questions in the chat at anytime and we will try to address them during the discussion.
- We will provide Certificates of Participation for those that joined using their own registration and stayed on for at least 30 minutes.
https://ltcombudsman.org/omb_support/training/certificates
- Please complete the evaluation using the link provided in chat at the end of the discussion.



Speakers



Adam Mosey, Director of Aging Policy,
ADvancing States



Lori Smetanka, Executive Director, National
Consumer Voice for Quality Long-Term Care
(Consumer Voice)

Agenda

Introduction

Background

Consumer Voice

Discussion

Closing

Our Vision:

Older adults, individuals with disabilities, and their caregivers will have access to the resources they need to live well & thrive in every community.

Our Mission:

To design, improve, and sustain state systems delivering long-term services and supports for people who are older or have a disability, and their caregivers.



What is ConnectToCareJobs.com?

- A national website that provides individuals looking for jobs with an easy way to connect with potential employees
- Uses a matching algorithm to pair licensed and/or trained workers with employers that need their specific skills
- Expanding scope of CTCJ to include worker registry, credentialling, training and more!





ConnectToCareJobs.com



Provides:



Employers with a way to fill critical staffing gaps quickly



Jobseekers with an easy way to connect with employers nationwide



States with actionable data about the workforce needs

Concept: Similar to the dating app Match.com, a facility enters their staffing needs into a portal and the website matches by people who have the skills.

Introduction

- Genesis of today's call was initiated by two SLTCOs
- This is an issue both in facilities but also in the community
- All sectors of the economy are struggling to find workers but health care/LTSS have been hit especially hard

Background

Why We're Here

- Trend #1 – Health care worker shortages, especially for direct care workers (DCWs)
 - Nearly 20% of health care workers quit their jobs during the pandemic, exacerbating existing trends
 - US could face shortage of 124k physicians by 2034
 - Could also see deficit of 200-450k RNs by 2025

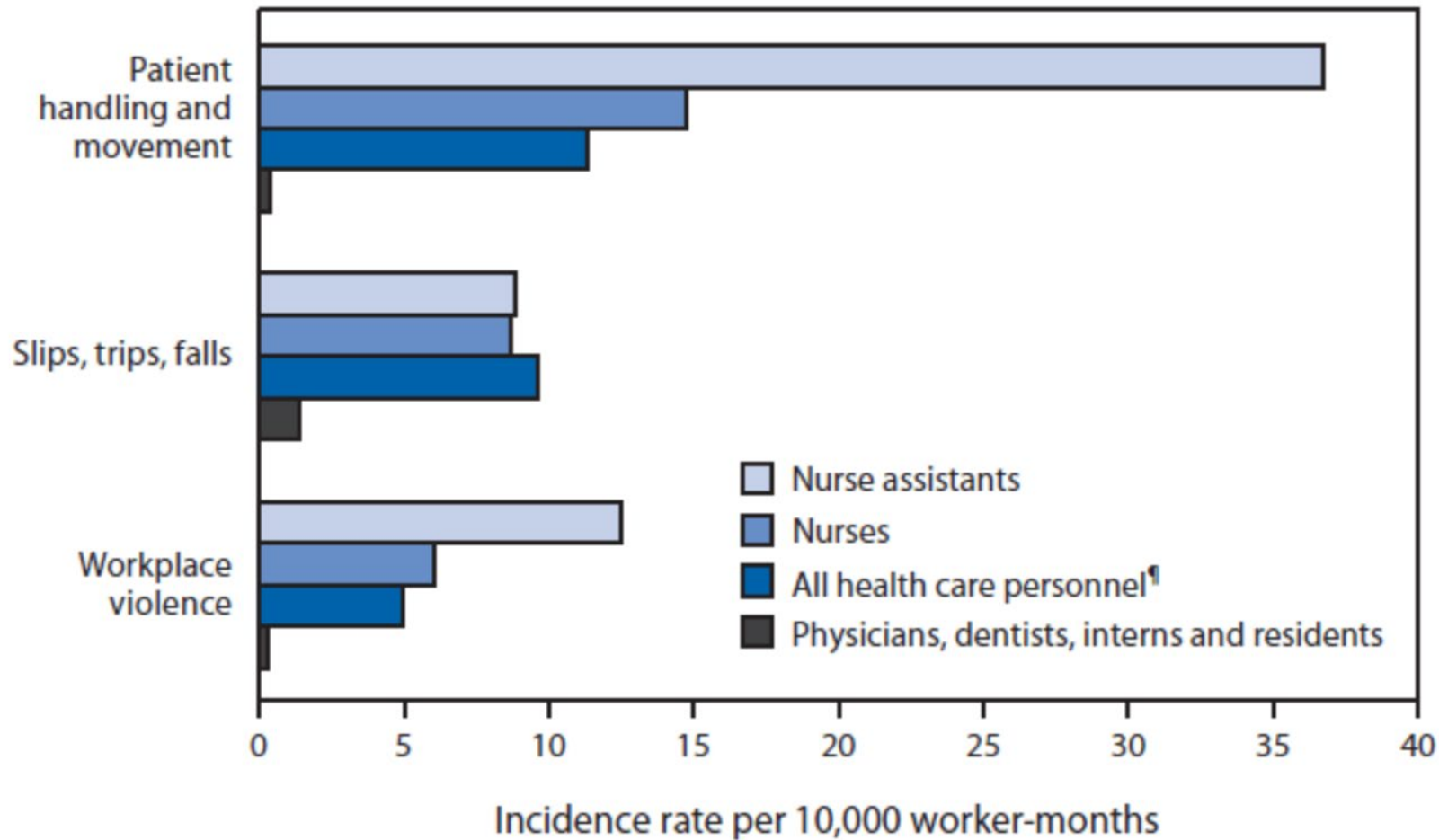
Why We're Here

- Trend #2: Health care workers, especially those in hospitals and LTC facilities, are at increased risk of workplace violence
 - Occurrences of serious workplace violence were four times more common in health care settings than in private industry
 - In 2015, nursing and residential care facilities were among the industries with the highest prevalence of nonfatal occupational violence
 - NHs with special units for residents with Alzheimer's were at an elevated risk

What the Research Says

- Different situations staff may encounter
 - Assaults on staff, resident-to-resident mistreatment, theft/exploitation, armed intruder
- Significant occupational hazards
 - Biological/infectious, chemical, environmechanical, physical, and psychosocial

What the Research Says Cont.



What the Research Says Cont.

CNAs are 23x more likely to experience aggressive behavior working in LTC facilities than in other settings

Possible Solutions

- Increased staffing levels
- Better administrative support
- Comprehensive training to identify the root cause(s) and provide individualized care
- Mental health resources to support DCWs
- Creating an environment where workers feel they can speak up

**Lori Smetanka, Executive Director,
Consumer Voice**

- Advocates for policies that support quality care and quality of life
- Empowers and educates consumers
- Trains and supports advocates
- Promotes the critical role of staff and best practices



Administration's Proposed Reforms

1. Support Nursing Homes That Provide Safe, Adequate, Dignified Care
2. Enhance Accountability and Oversight
3. Increase Transparency
4. Create Pathways to Good-Paying Jobs
5. Ensure Pandemic and Emergency Preparedness in Nursing Homes

4/27/22, 1:26 PM

FACT SHEET: Protecting Seniors by Improving Safety and Quality of Care in the Nation's Nursing Homes | The White House

BRIEFING ROOM

FACT SHEET: Protecting Seniors by Improving Safety and Quality of Care in the Nation's Nursing Homes

FEBRUARY 28, 2022 • STATEMENTS AND RELEASES

All people deserve to be treated with dignity and respect and to have access to quality medical care. The President is committed to ensuring that all Americans, including older Americans and people with disabilities, live in a society that is accessible, inclusive, and equitable. To accomplish that goal, the Administration continues to be committed to home- and community-based services and ensuring that in no case should a health care facility be causing a patient harm. The President believes we must improve the quality of our nursing homes so that seniors, people with disabilities, and others living in nursing homes get the reliable, high-quality care they deserve. That's why he is announcing a set of reforms—developed by and implemented through the Department of Health and Human Services (HHS)—that will improve the safety and quality of nursing home care, hold nursing homes accountable for the care they provide, and make the quality of care and facility ownership more transparent so that potential residents and their loved ones can make informed decisions about care.

To do this, the reforms the President is announcing will ensure that:

- every nursing home provides a sufficient number of staff who are adequately trained to provide high-quality care;
- poorly performing nursing homes are held accountable for improper and unsafe care and immediately improve their services or are cut off from taxpayer dollars; and
- the public has better information about nursing home conditions so that they can find the best available options.

The pandemic has highlighted the tragic impact of substandard conditions at nursing homes, which are home to many of our most at-risk community members. More than 1.4 million people live in over 15,500 Medicare- and Medicaid-certified nursing homes across the nation. In the past two years, more than 200,000 residents and staff in nursing homes have died from COVID-19—nearly a quarter of all COVID-19 deaths in the United States.

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/02/28/fact-sheet-protecting-seniors-and-people-with-disabilities-by-improving-saf...> 1/8

Minimum staffing
standard

Promote single
occupancy rooms

Reduce
Unnecessary
Medications

Fund inspection
activities

Expand financial
penalties and other
enforcement
actions

Support state
efforts around
staffing and
workforce

QIO support for
nursing homes

Transparency of
ownership and
finances

Enhance nursing
home compare

Examine private
equity

Ensure affordable
nurse aide training

Emergency
preparedness and
pandemic
requirements

Increase
accountability for
chain owners

COVID testing,
vaccines, boosters
in nursing homes

On-site infection
preventionist
requirements

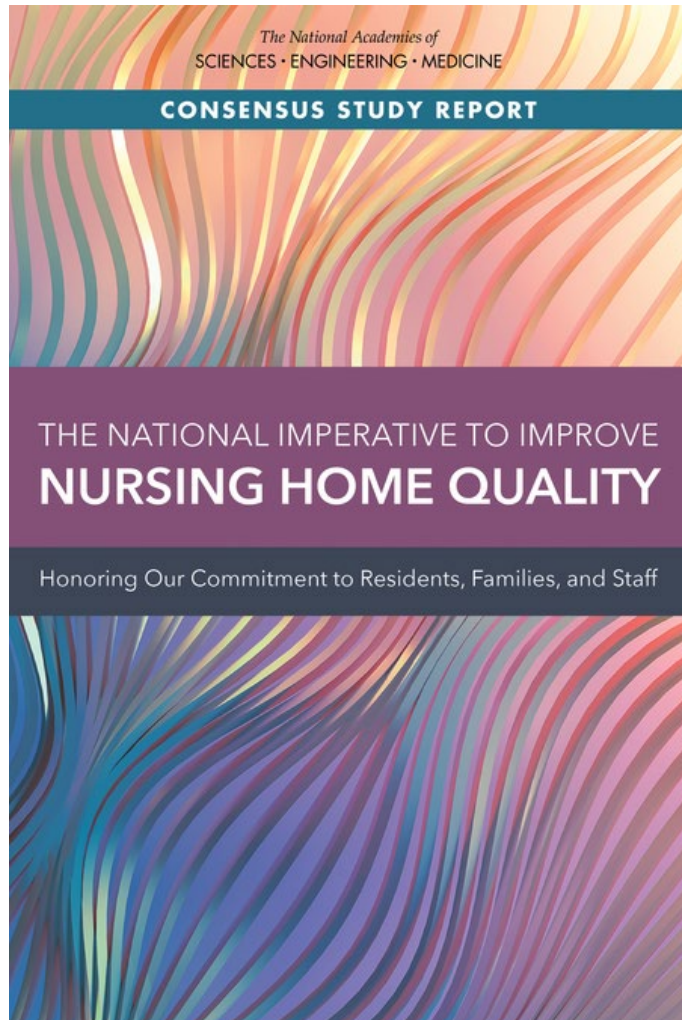
Launch national
career pathways
campaign

Integrate lessons
learned using
equity lens

Administration Staffing Reforms

- Staffing Study
- Minimum Staffing Standard
- Supporting Staff
 - Affordable Training
 - Support States' Efforts
 - National Nursing Career Pathways Campaign





<https://www.nationalacademies.org/our-work/the-quality-of-care-in-nursing-homes>

“immediate action is necessary to initiate fundamental change”

Calls for:

Minimum staffing standards • education and competency requirements • increased transparency and accountability for finances, operations, ownership • a specific percentage of payments designated for direct care • increased funding for the LTCOP • enforcement on owners with poor quality care across facilities • a health equity strategy for nursing homes • advance, empower workers

NASEM Staffing Recommendations

- Minimum Staffing Standard
- 24 Hour Registered Nurse
- Qualified Full-Time Social Worker
- Qualified Infection Control Preventionist

NASEM Cont'd-Investment in Staff

- Wages and Benefits
- Training
- Career Advancement
- Empowerment of CNAs

NPRM PPS, Value-Based Purchasing; Request For Information on Revising the Requirements for LTCFs to Establish Mandatory Minimum Staffing Requirements

Federal Register, Vol. 87, No. 73, Friday,
April 15, 2022, pp.22720

<https://www.govinfo.gov/content/pkg/FR-2022-04-15/pdf/2022-07906.pdf>

Submit Comments:

<https://www.regulations.gov>

Refer to file code CMS-1765-P

22720	Federal Register / Vol. 87, No. 73 / Friday, April 15, 2022 / Proposed Rules
DEPARTMENT OF HEALTH AND HUMAN SERVICES Centers for Medicare & Medicaid Services 42 CFR Part 413 [CMS-1765-P] RIN 0938-AU76	<p>3. By express or overnight mail. You may send written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-1765-P, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.</p> <p>For information on viewing public comments, see the beginning of the SUPPLEMENTARY INFORMATION section.</p> <p>FOR FURTHER INFORMATION CONTACT: PDPM/Altenr.hhs.gov for issues related to the SNF PPS. Heidi Magidry, (410) 786-6034, for information related to the skilled nursing facility quality reporting program. Alexandre Laberge, (410) 786-8625, for information related to the skilled nursing facility value-based purchasing program.</p> <p>SUPPLEMENTARY INFORMATION: <i>Inspection of Public Comments:</i> All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following website as soon as possible after they have been received: https://www.regulations.gov. Follow the search instructions on that website to view public comments. CMS will not post on Regulations.gov public comments that make threats to individuals or institutions or suggest that the individual will take actions to harm the individual. CMS continues to encourage individuals not to submit duplicative comments. We will post acceptable comments from multiple unique commenters even if the content is identical or nearly identical to other comments.</p> <p>Availability of Certain Tables Exclusively Through the Internet on the CMS Website As discussed in the FY 2014 SNF PPS final rule (78 FR 47936), tables setting forth the Wage Index for Urban Areas Based on CBSA Labor Market Areas and the Wage Index Based on CBSA Labor Market Areas for Rural Areas are no longer published in the Federal Register. Instead, these tables are available exclusively through the internet on the CMS website. The wage index tables for this proposed rule can be accessed on the SNF PPS Wage Index home page, at https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/SNPPPS/WageIndex.html. Readers who experience any problems accessing any of these online SNF PPS</p> <p>wage index tables should contact Kla Burwell at (410) 786-7816.</p> <p>To assist readers in referencing sections contained in this document, we are providing the following Table of Contents.</p> <p>Table of Contents</p> <p>I. Executive Summary A. Purpose B. Summary of Major Provisions C. Summary of Cost and Benefits D. Advancing Health Information Exchange</p> <p>II. Background on SNF PPS A. Statutory Basis and Scope B. Initial Transition for the SNF PPS C. Required Annual Rate Updates D. Proposed SNF PPS Rate Setting Methodology and FY 2023 Update E. Federal Base Rates F. SNF Market Basket Update G. Case-Mix Adjustment H. Wage Index Adjustment I. SNF Value-Based Purchasing Program F. Adjusted Rate Computation Example</p> <p>IV. Additional Aspects of the SNF PPS A. SNF Level of Care—Administrative Presumption B. Consolidated Billing C. Payment for SNF-Level Swing-Bed Services D. Revisions to the Regulation Text</p> <p>V. Other SNF PPS Issues A. Proposed Permanent Cap on Wage Index Decrease B. Technical Updates to PDPM ICD-10 Mappings C. Localizing the PDPM Parity Adjustment D. Request for Information: Infection Isolation</p> <p>VI. Skilled Nursing Facility Quality Reporting Program (SNF QRP) A. Background and Statutory Authority B. General Considerations Used for the Selection of Measures for the SNF QRP C. SNF QRP Quality Measure Proposals Beginning With the FY 2023 SNF QRP D. SNF QRP Quality Measures Under Consideration for Future Years: Request for Information (RFI) E. Overarching Principles for Measuring Equity and Healthcare Quality Disparities Across CMS Quality Programs—Request for Information (RFI) F. Inclusion of the CoreQ Short Stay Discharge Measure in a Future SNF QRP Program Year—Request for Information (RFI) G. Form, Manner, and Timing of Data Submission Under the SNF QRP H. Policies Regarding Public Display of Measure Data for the SNF QRP</p> <p>VII. Skilled Nursing Facility Value-Based Purchasing Program (SNF VIP) A. Statutory Background B. SNF VIP Program Measures C. SNF VIP Performance Period and Baseline Period Proposals D. Performance Standards E. SNF VIP Performance Scoring F. Proposal To Adopt a Validation Process for the SNF VIP Program Beginning With the FY 2023 Program Year G. Proposed SNF Value-Based Incentive Payments for FY 2023</p>

COMMENTS DUE: JUNE 10, 2022

Webinar – May 25, 3:00pm ET

- Review and discuss the issues where feedback is requested in the CMS Request for Information
- For national, state, local advocates on submitting comments to CMS

Register at:

https://us02web.zoom.us/webinar/register/WN_cPBrSGHYSDCZ5eZrfO7cng

Sign up with Consumer Voice's [Action Network](#) to receive the registration link

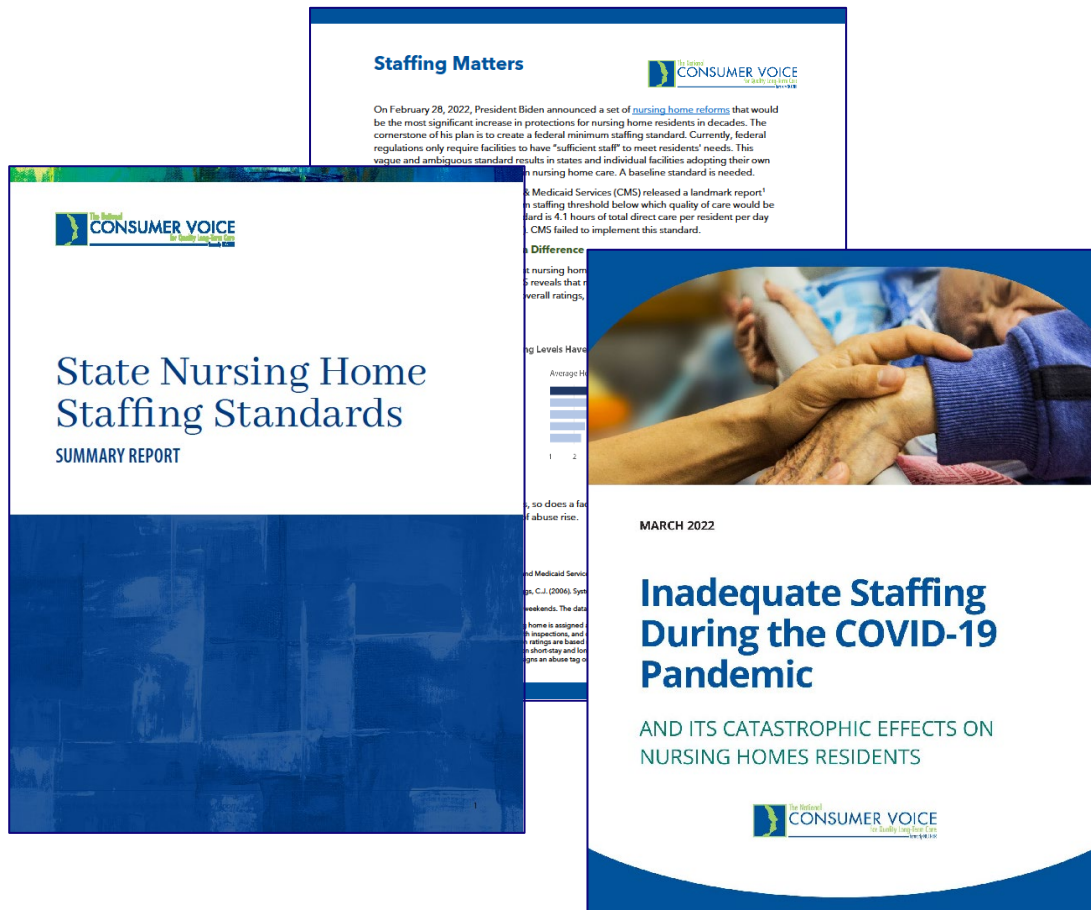
Opportunities for Advocacy

- Support the Need for Reforms, including Staffing Requirements
 - Why are Reforms Needed?
 - Impact on Residents
 - Personal Stories
 - How to Share the Info:
 - Letters to the Editor
 - Social Media
 - Blogs
 - Letters/Emails to Members of Congress

<https://theconsumervoice.org/events/march-forth-together>

Consumer Voice Resources

https://theconsumervoice.org/issues/issue_details/staffing



<https://theconsumervoice.org/pursuingquality>



Thank you!

www.theconsumervoice.org

Connect with us:



[National Consumer Voice for Quality Long-Term Care](https://www.facebook.com/NationalConsumerVoice)



[@ConsumerVoices](https://twitter.com/ConsumerVoices)

Discussion

Discussion Questions

- How does this research compare with your experience in LTC facilities?
- Do you have an example of a LTC facility creating an environment that supports the retention of DCWs?
- What observations can you share regarding how workplace issues for DCWs impacts resident care?

Questions?



THANK YOU!

Adam Mosey

Director

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