

National Assisted Living Organization Applauds Senate For Provision Eliminating Part D Copay for Low Income Seniors

Last week, the National Center for Assisted Living (NCAL) applauded the Senate for including a provision in, "The Patient Protection and Affordable Care Act" that would eliminate Medicare Part D copayments for certain groups of low-income seniors and individuals receiving assisted living services under Medicaid.

Under Section 3309, cost sharing would be eliminated for dual eligibles—individuals eligible for Medicare and Medicaid—covered under 1915c or 1115 waivers, Medicaid managed care plans, and the 1915(i) Medicaid HCB State Plan Option. If enacted, the provision would be effective no sooner than January 1, 2012.

"NCAL thanks the Senate for including this important provision in The Patient Protection and Affordable Care Act. If enacted, this would provide Medicare Part D copayment coverage for assisted living residents and individuals receiving services through Medicaid waivers," says David Kylo, NCAL's executive director. "The Senate's leadership is critical to assuring these low-income seniors have continuous access to their medications, which maintain their quality of life and prevent more costly health consequences from occurring.

"We look forward to working with the Senate on its health reform package as it moves to a floor vote and is ultimately signed by the President," says Kylo.

When Medicare Part D took effect on Jan. 1, 2006, dually eligible beneficiaries, who previously had medication coverage under Medicaid, were switched to Medicare Part D. Under the Medicare prescription drug program, individuals in institutionalized settings have no Medicare Part D cost sharing responsibilities.



HELP FOR LOW INCOME SENIORS

Studies show that the average assisted living resident takes between eight to 10 medications and Medicare Part D copayments range between one to more than five dollars per prescription, which results in many dual eligible residents quickly exceeding their state monthly personal needs allowance under Medicaid. When residents exceed their allowance, they do not have the means to purchase medications, which may cause some residents to forgo their medications. Without needed medications, they are risking their health and increasing the possibility of a catastrophic health incident. In addition, under Medicare Part D, pharmacies and drug plans are not required to dispense medications to a beneficiary if the individual is unable to pay the assigned copayments.

SUBMIT YOUR ARTICLES AND COMMUNITY NEWS FOR EDITORIAL CONSIDERATION BY SUBMITTING AN EMAIL TO DAVID SKIPPER AT dskipper@cohca.org

LICENSURE STANDARDS

PROPOSED CHANGES TO CHAPTER II

COMMENTS DUE FOR PROPOSED CHANGES TO CHAPTER II, GENERAL LICENSURE STANDARDS NOVEMBER 30, 2009

The Health Facilities and Emergency Medical Services Division, CDPHE is requesting a hearing before the Board of Health on proposed rule changes to Chapter II, General Licensure Standards for January 20, 2010.

The proposed changes, along with the Regulatory Analysis and statement of Basis and Purpose are posted at:

<http://www.cdphe.state.co.us/hf/index.html>

Owner/operators of licensed health facilities and patients, residents and health care consumers will be affected by this rule change. The cost of this rule will be primarily borne by the facilities.

If you have questions or comments regarding these changes, please send them to **Laurie Schoder**, policy analyst, by Monday, November 30, 2009. The fax number is 303-753-6214 and the email address is laurie.schoder@state.co.us

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COMING IN MARCH 2010:

*Colorado Center for Assisted Living
Day Workshop on Hospice and Assisted
Living, Accommodations for Roommate
Choice and The Issue of Medical
Marijuana and Smoking in ALRs.*



H1N1 UPDATE

20 MILLION HAVE BEEN ILL WITH H1N1 INFLUENZA

CCAL/CHCA



H1N1 VACCINE SCARCE

REDUCED RISKS FOR THOSE BORN BEFORE 1957

Almost all of the flu viruses identified this season so far are 2009 H1N1. From April 2009 through October 17, 2009, the CDC estimates that 20 million people became ill with H1N1 influenza, 98,000 were hospitalized, and 3,900 died. For those over 65 years of age, 2 million became ill, 9,000 were hospitalized, and 440 died. To put this in perspective, for those under the age of 18 years, 8 million became ill, 36,000 were hospitalized, and 540 died. For the 19-64 year old population, 12 million people became ill, 53,000 were hospitalized, and 2,900 died.

According to an article in the *New England Journal of Medicine* titled "Older Age and a Reduced Likelihood of 2009 H1N1 Virus Infection," individuals born before 1957 may be at lower infection risk. The study may be accessed at <http://content.nejm.org/cgi/content/full/361/20/2000>

As of November 6, approximately 93.7 million doses of seasonal influenza vaccine have been distributed, which is about 82% of doses expected

this season. Although there will not be enough seasonal influenza vaccine this year to meet all the needs of LTC, AHCA's efforts to steer the limited, remaining vaccine doses to LTC is seeing some success. Earlier this month, influenza vaccine manufacturer Novartis shipped 3,000 doses of Fluvion seasonal flu vaccine to long term care facilities via the distributor, FFF. With the help of the CDC and National Influenza Vaccination Summit, as vaccine becomes available from manufacturers, distribution will be directed, to the extent possible, to long term care facilities. In addition, both Safeway and Walgreens corporate offices are working with AHCA to move some of their vaccine from their stores to long term care facilities.

AHCA will forward the information to Walgreens and/or Safeway. Walgreens and Safeway – and potentially other outlets that have vaccine – will try to match up facilities in need with stores that have available vaccine. If vaccine is available in your locality, you will hear directly from either Walgreens or Safeway, or other partners with vaccine.

H1N1 Vaccine

According to CDC, the H1N1 vaccine is taking longer to produce than manufacturers initially expected, and there is variability in supply and demand of H1N1 vaccine at the state and local levels. As the H1N1 vaccine supply situation improves, more people in priority groups will be able to get vaccinated. Clinical trials conducted by the National Institutes of Health and the vaccine manufacturers have shown that the new H1N1 vaccine is both safe and effective.

Since past flu pandemics were characterized by multiple waves, H1N1 vaccination is recommended even if flu activity slows, as it could resume later in the season.

Respirators

As we have previously reported, CDC interim guidance for H1N1 Infection Control recommends

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recommends the use of respiratory protection that is at least as protective as a fit-tested disposable N95 respirator for healthcare personnel who are in close contact with patients with suspected or confirmed 2009 H1N1 influenza. (See H1N1 Update No. 25 at http://www.ahcancal.org/facility_operations/clinical_practice/Pages/H1N1SwineFluUpdate25.aspx for more information.

More H1N1 Resources

CDC's H1N1 Flu web section contains hundreds of documents for healthcare professionals and the public. To access the web section's home page, go to <http://www.cdc.gov/h1n1flu>. The federal government maintains a web site, www.flu.gov, which contains lots of information including a flu shot locator.

CCAL MEETS 4TH THURSDAY OF EACH MONTH

The Colorado Health Care Association Center for Assisted Living meets every 4th Thursday from 9:30 a.m. – 11:00 a.m. at the CHCA office, 225 E. 16th Avenue, Ste. 1100, Denver, CO 80203. Following the meeting members usually attend the CDPHE Assisted Living Advisory Meeting from 12:00 p.m. – 1:30 p.m. CCAL will not meet in December, but will have a holiday luncheon Dec. 18th. Details will be emailed to members.

VISIT THE CHCA /CCAL, AHCA/NCAL WEBSITES:

www.cohca.org/www.ncal.org

225 E. 16th Avenue, Ste. 1100 | Denver, CO 80203
phone 303-861-8228 | fax 303-839-8068

If you need seasonal vaccine for your residents and/or employees, please fill out the brief survey monkey at:

http://www.surveymonkey.com/s.aspx?sm=nbokeC3qCJQNUdMJxveD2A_3d_3d

The CDPHE Assisted Living Advisory Meeting will not be held in November and December.

**THERE IS STRENGTH
IN NUMBERS...
BECOME A CCAL
PARTNER TODAY**