



Annual Business Meeting Minutes
October 7, 2020

Board Members Present

Mark Bedinger, Chairman of the Board	Melissa Latham, District IV Chairman
Jay Moskowitz, 1 st Vice Chair	John Stewart, District II Chairman
Ron Cook, District V Chairman	Beth Williams, 2 nd Vice Chairman
Paul Landry, Governmental Policy Co-Chairman	Jerusha Siegel, Third Vice Chairman
Kevin Putnam, Vice-Chair: Colorado Center for Assisted Living	Joyce Humiston, Secretary
Janet Snipes, Immediate Past Chairman of the Board	Courtney Petek, Council of Associate Members
Kenda Spaulding, Vice-Chair, Non-Proprietary Facilities	Dana Runager, QIL Chairman
Beth Williams, Quality Initiatives & Leadership Chairman	Carol Glover, District VI Chairman
Janet Snipes, Immediate Past Chairman of the Board	John Brammeier, Treasurer
Amy Goeglein, District I Chairman	Christine Swanson, District III Chairman

Staff/Consultants Present

Doug Farmer, President & CEO	Colleen Olsen, Executive Administrative Assistant
Josh Fant, Director of Finance	Katie O'Dell, Executive Administrative Assistant
Ann Kokish, VP of Quality and Regulatory Affairs	Bonita Jones, VP of Operations

Call to Order

The Chairman called the Annual Business Meeting of the Colorado Health Care Association Board of Directors to order at 12:02 p.m.

Delegates Present

90 Registered Delegates

Adoption

The Chairman of the board adopted reports, minutes, rules and agenda at 12:04 p.m.

Treasurer's Report

John Brammeier

2021 Proposed Budget

In recognition of the Fiscal Impact of COVID-19 to the CHCA membership, there will not be an increase in membership dues for 2021.

CHCA is seeking to continue to increase the assisted living membership. CHCA's current dues are at a competitive point relative to other associations that represent assisted living communities. CHCA revenues are primarily made up of membership dues, special programs, and partnership revenues. Currently the 2021 budget does not include Conferences and Conventions and includes limited educational program revenue. Without these in person events able to take place, CHCA will use reserve funds in order to balance the budget for 2021.

Proposed 2021 Budget was presented to the Membership.

Budget Motion at 12: 31 p.m.

Motion to approve the 2021 proposed budget as recommended by the Executive Committee and CHCA Board of directors was made and seconded.

Budget approved 12: 34 p.m.

CHCA Update

Doug Farmer

The CHCA Membership has remained stable over the last year. CHCA still represents 90% of the Skilled Nursing Facilities in the state of Colorado and 65 Assisted Living Communities. CHCA Associate Membership has stayed consistent as well.

Due to COVID-19 CHCA was unable to host Spring Conference, Fall Convention, Assisted Living Conference, and most of our educational programs. This was a loss to the membership and the Association.

COVID has created financial uncertainty for CHCA Providers and Vendor Members, as well as uncertainty surrounding CHCA's finances. The lease for CHCA's current office space will expire at the end of December 2020, while working with the CHCA Board of Directors it was decided to have a leaner Association. This includes relocating to a new less expensive office space for 2021, with a smaller footprint. This means that CHCA will be at a different location for the next 3 ½ years, while CHCA evaluates their financial position and how our educational offerings will be structured. CHCA will host as many educational programs as possible digitally during 2021, larger educational programs, conferences and conventions will also be offered in person and off site as allowable. This will be determined by what is safe for CHCA communities, as well as being driven by how comfortable our providers feel attending in person trainings.

CHCA has ensured that our membership has received the most up-to-date information pertaining to COVID available, including regulatory and financial matters at the state and local levels. CHCA strives to be consistently available to meet our members needs.

This year CHCA has: encouraged the Governor to establish a limitation on visitation; provided a PR resource to assist members with responding to media inquiries; worked with state officials to ensure that COVID payments were made to providers; worked with CDPHE regarding issues of regulation, visitation and testing. CHCA worked with the Governor's Office and the Strike Force regarding testing, regulatory structure, and visitation. CHCA assisted with procuring PPE for communities that were struggling to obtain the necessary materials.

Federally CHCA has: worked with AHCA and supported their efforts and obtain blanket waivers providing flexibility to operate; achieved Medicare advance payments, two rounds of Medicaid payments to Skilled Nursing Facilities from the Provider Relief Fund, and a round of Provider Relief Payments for Assisted Living Communities. Additionally, CHCA held informational sessions for members of the Colorado Congressional Delegation to keep them apprised of what was taking place in Colorado, what was being done to protect citizens, and what could be done to support the viability of our provider communities.

Political and Economic Concerns for 2021

Politically if Democrats control both houses of Congress and the White House, CHCA believes that there is very little likelihood of achieving liability protection regarding the COVID Pandemic. CHCA expects more funding through the Provider Relief Fund at the Federal level, however the amount will be determined by the election results.

Economists are projecting meaningful economic restriction over the next year. At the state level, they were required more to fill a more than \$3 Billion budget hole this year and most are anticipating beginning 2021 in some form of

financial hole. This could be compounded by the expiration of Federal programs that support job continuation and unemployment benefit increases. Next year will be another fight for resources.

Other foreseeable challenges include declines in census (between 15% and 40% depending on the type of facility). Until vaccination becomes widespread and consumer confidence returns, we will see continued decreases in census. For those that operate on thin margins this is a meaningful concern. We must also seek pathways to encourage psychosocial wellbeing, we must work within federal and state guidelines in an effort to return to normalcy that still focuses on the safety and security of residents and staff members. It is important to develop ways to help combat burnout to support our teams. This is having a significant impact on our profession.

Positive CHCA Updates

We are at a time where testing is now able to keep up with the needs of our industry, regulations will be more workable and consistent regarding visitation, working with the state to work on the 14 day admission ban to be more flexible and nimble. AHCA believes the Long-Term Care residents and staff will be a top priority for vaccinations when they become available. These vaccines will be vetted properly and based on scientific evidence. Congress is likely to continue to provide stimulus funding and to add additional funding to the Provider Relief Fund. The ECHO program provides a pathway to consistent infection prevention for members that do not have an overarching corporate structure that they may reach back to for support.

Legislative Affairs:

Due to COVID-19 Legislation was postponed from March until June and was followed by civil unrest related to social justice concerns which resulted in protests at the Capitol. This significantly impacted legislation and required law makers to focus their time on only mandatory bills.

Bills That Passed This Session:

HB 20-1183: [Sunset Continue Certification of Nurse Aids](#)

- CNA's may now administer oxygen
- CNA's may now change ostomy bags

HB 20-1216 : [Sunset Continue Nurse Practice Act](#)

- The act implements the recommendations of the department of regulatory agencies in its sunset review and report on the "Nurse Practice Act", under which nurses are regulated by the state board of nursing.

HB 20-1362: [Limit Increase to Medicaid Nursing Facility Rates](#)

- The act limits to 2% the annual increase in the general fund share of per diem rates to nursing facilities for the 2020-21 and 2021-22 state fiscal years.

HB 20- 1415: [Whistleblower Protection Public Health Emergencies](#)

- Protects employees from adverse actions or retaliation by employers for an employee raising health and safety concerns related to a public health emergency.

SB 20- 102: [Provider Disclose Discipline Convict Sex Offender](#)

- The act requires a health care provider (provider) to disclose to patients if the provider has been convicted of a sex offense or has been subject to final agency action resulting in probation or a limitation on practice when the discipline is based in whole or in part on the provider's sexual misconduct.

SB 20- 205: [Sick Leave For Employees](#)

- All employers in the state, regardless of size, are required to provide each of their employees paid sick leave for reasons related to the COVID-19 pandemic in the amounts and for the purposes specified in the federal "Emergency Paid Sick Leave Act" in the "Families First Coronavirus Response Act".

Bills That Did Not Pass This Session:

HB 20- 1083: Nursing Home Definition For Residential Property Tax

- The bill defines a nursing home to include, among other things, a nursing home that provides convalescent care and rehabilitation services. The bill specifies that land on which a nursing home is situated, and any improvements affixed to that land is classified and assessed as residential real property, regardless of a resident's length of stay.

SB 19- 237: Consumer Protection Act Damages

- The bill amends the "Colorado Consumer Protection Act" (act) to clarify that a plaintiff in an individual action may be awarded damages equal to the sum of \$500 per violation.
- The bill also amends the act to clarify that, under the act, a class action may be brought, and damages may be awarded to the class.

SB 20- 093: Consumer and Employee Dispute Resolution Fairness

- This bill changes the way that arbitration would be used, pertaining to certain employee and consumer disputes. This is not directly related to Long-Term Care, however, it touched enough on the Long-Term Care Industry to cause concern.

SB 20- 173: Reimbursement Rates Alternative Care Facilities

- The bill requires the state board of medical services to adopt rules creating an enhanced or tiered reimbursement rate or rates for secure alternative care facilities that have higher staffing ratios due to providing services to persons with dementia or other conditions

CHCA District Chairs

Elections for District Chairs were held during 2019 to serve for a period of two years. The current elected chairs are as follows:

District I: Amy Goeglein

District II: John Stewart

District III: Chrissy Swanson

District IV: Melissa Latham

District V: Ron Cook

District VI: Carol Glover

Board Members leaving were recognized and thanked for their years of service:

Mark Bedinger, Chairman of The Board

Election of Officers

The Election of Officers in 2020 will serve for a period of two years.

Chairman of the Board

John Brammier, Vivage Senior Living

No further nominations from the floor.

John Brammier was elected at 12:36 p.m.

Treasurer

Jay Moskowitz, Vivage Senior Living

No further nominations from the floor.

Jay Moskowitz was elected at 12:37 p.m.

Secretary

Joyce Humiston, C&G Healthcare
Kimberly Long, Veterans Community Center at Fitzsimmons
No further nominations from the floor.
Joyce Humiston was elected at 12: 51 p.m.

First Vice Chairman

Lynn Stockwell nominated Janet Snipes, Holly Heights
Janet Snipes was elected at 12:45 p.m.

Second Vice Chairman

Beth Williams, Life Care Centers of America
No further nominations from the floor.
Beth Williams was elected at 12:46 p.m.

Third Vice Chairman

Jerusha Siegel, Accel at Longmont
No further nominations from the floor.
Jerusha Siegel was elected at 12: 47 p.m.

Vice Chairman Non-Proprietary Facilities

Chad Wagner nominated Kenda Spaulding, E. Dene Moore Care Center
Kenda Spaulding was elected at 12: 49 p.m.

Vice Chair for the Colorado Center for Assisted Living

Jessie Cowan nominated Kevin Putnam, WellAge Senior Communities
Kevin Putnam was elected at 12:50 p.m.

Spotlight on Excellence Awards Ceremony

The Spotlight on Excellence Ceremony will take place on October 22nd, 2020 beginning at 6:00 p.m.

Meeting Adjourned

There being no further business, the Chairman of the Board adjourned the 2019 General Membership Meeting at approximately 12: 59 p.m.