



Board of Directors Meeting
September 24th, 2020
CHCA, 225 E. 16th Ave. Denver, CO 80203

Board Members Present

Paul Landry, Governmental Policy Co-Chairman
Mark Bedinger, Chairman of the Board
Chrissy Swanson, District III Chairman
Dana Runager, QIL Council Chairman
John Stewart, District II Chairman
John Brammeier, Treasurer

Joyce Humiston, Secretary
Jay Moskowitz, 1st Vice Chairman
Melissa Latham, District IV Chairman
Carol Glover, District VI Chairman
Amy Goeglein, District I Chairman

Board Members Not Present

Kenda Spaulding, Vice Chairman Non-Proprietary Facilities
Kevin Putnam, Vice Chair for the CCAL
Janet Snipes, Immediate Past Chairman of the Board
Courtney Petek, Council of Associate Members Chairman

Ron Cook, District V Chairman
Beth Williams, 2nd Vice Chairman
Jerusha Siegel, 3rd Vice Chairman

Staff Present

Doug Farmer, President and CEO
Colleen Olsen, Exec. Admin. Assistant
Katie O'Dell, Exec. Admin. Assistant

Bonita Jones, VP of Operations
Josh Fant, Director of Finance
Ann Kokish, VP of Quality & Regulatory Affairs

Call to Order

The September Board of Directors Meeting was called to order at 2:03 p.m.

Approval of Board Minutes

The September Board Meeting minutes were approved at 2:04 p.m.

Consideration of New Members

The Peaks at Old Laramie Trail: 95 Bed Assisted Living

Summit Medical Consultants: Silver Associate

Motion to Approve New Members at 2:23 p.m.

Financial Report

The income statement compared to budget and the balance sheet compared to previous year for the time period ending 8/31/20 were presented by John Brammeier. Due to the PPP loan and savings on expenses the association is ahead of budget at this time. No significant inquiries or concerns were expressed by the board.

CEO Report

AHCA Update

CMS released approximately \$135 million in additional support for the Money Follows Person Program. This means there will be an additional \$5 million federal funding in Colorado for 2021, if Colorado avails themselves of that opportunity. CHCA will review what the state is planning to do with the funds, and what that will mean for providers.

The \$2 Billion in federal payments from HHS has changed. Previously it was decided that the \$2 Billion would be dispersed in \$500 million increments on a monthly basis between September and December. This has been modified to be available in five opportunities of \$400 million during the months of September, October, November and December. There will then be one more payment opportunity as an aggregate payment based on performance (the top half of Communities will qualify to receive a fifth incentive payment). Payments will be determined by whether a facility's COVID infection rate is below the county infection rate, as well as the mortality rate being below a national established performance standard. This is a value-based payment incentive.

In conversation with the AHCA lobby team, it was disclosed that the prospect for another stimulus package and protection from liability is dim. There is less than a fifty percent chance that a stimulus will pass, and there is likely no opportunity to achieve liability protection on its own.

The AARP provides an annual state and long-term services support score card, which has a state by state breakdown. It includes 26 measures in five different dimensions, and Colorado ranked 8th in the Nation. AARP reviews the totality of what is available in long term services, Colorado's highest ranking was for quality of life and quality of care metrics.

State Policy Matters

Abbott Test Kits

The federal government has announced that they will provide just over one million tests to skilled nursing centers, and half a million to assisted living providers. These do have a CLIA waiver. Only CLIA waived communities will receive the test kits. This is how the federal government will identify the facilities. Assisted living facilities still have the opportunity to obtain certification. Providers have been notified that the federal government has obtained the foreseeable future supply of these tests, and these tests are unable to be procured outside of CMS. The Abbott tests will be provided on an as needed basis as determined by the red, yellow and green status of communities. Please be advised that the Abbott testing kits may not be used on visitors in Colorado.

There are concerns about conflicting regulations between CMS and CDPHE. The federal government has now provided three different test kits, that were sent directly to providers, and they believed this provided a solution for providers. The state of Colorado has said that communities may not use the Antigen tests for any visitation related issues or for a resident or employees that reside in a green county under the Protect Your Neighbor Status. CHCA has discussed with the task force that the feds expect the test kits are going to be used by LTC providers. The Federal Government has created indoor visitation requirements and provided tools to address them, and they are mandating that unless there is a clinical or safety reason prohibiting it facilities must move to visitation. Administrator Verma has stated that the state is prohibited from restricting facilities from using the POC antigen tests. CMS believes that Facilities should be able to use the tests in any manner the Provider feels necessary.

CMS would like to be notified of any issues with the state regarding testing, CMS will ensure the state meets federal guidelines and allows facilities to use the testing resources. The state is aware that it is necessary to make changes to the state visitation policy in order to align with CMS regulations.

Visitation

Long term care communities must adhere to every component of the State visitation plan, if facilities do not do so as they move toward visitation they will be cited. CHCA will address concerns regarding the state plan not aligning with federal regulations pertaining to the red, yellow and green designation and that POC tests may be used at the discretion of the Provider.

Currently the state uses the stay at home, safer at home, protect your neighbor formula. The issue is that your county has to have actively applied for protect your neighbor status, many counties have been unable to jump through state hoops to meet that level. CHCA is advocating the state change the requirement to mirror the federal red, yellow and green formula.

The definition for an outbreak regarding visitation was addressed, the state will have to follow the federal definition. CHCA addressed with the Strike Force that Colorado is the only state that requires a 14-day admission hold policy. CHCA is requesting a new policy that that will only allow admission holds while it is being verified that facilities are following an isolation plan, that communities have adequate PPE, and that testing is available to residents and staff.

Federal regulations currently demand that new residents are required to have a 14-day isolation. It is a concern for communities with no isolation space, or having staff spread too far apart. If communities are bringing in a known COVID-19 positive resident, there may be flexibility regarding isolation.

Per Jo Tansey with CDPHE, it was verified that if a facility is in green status, the staff is not required to wear eye protection. Widespread testing must be completed for all staff prior to reopening visitation, apart from PRN staff that will not be returning to the facility.

CHCA Business

A. Building Lease

CHCA bylaws require that the permanent location of the association must be chosen by the Board Chair and ratified by the Board of Directors. The Colorado Health Care association is at the point where we will need to sign a contract for the new location. After more than 30 years at our present location, the current landlord has not been reasonable during negotiations; and our lease will end by December 2020. CHCA currently pays just over \$180,000 a year for lease and parking. The management company presented a \$230,000 per year option beginning in 2021.

Pre-COVID, CHCA considered lease and purchasing options, however, it became clear that this was not the time to invest in a building, and CHCA decided to switch to lease options. This decision was made because of the financial uncertainty of the next few years. CHCA has not held in person classes since the first quarter of the year and are unsure when providers will feel comfortable with in person trainings. CHCA decided to reduce the footprint of the office, and only provide a space large enough for CHCA employees and a small meeting room. There are Providers in the Denver Metro that have offered to provide meeting rooms in their Corporate Facilities to hold Board Meetings and Governmental Policy Meetings when it is safe to resume in person gatherings.

The new office will be located at 4100 Mississippi, Denver, Colorado (this is located near the Health Department near Cherry Creek). The new facility does have the option for a meeting space available that will accommodate 50 members. The contract will be for \$60,000 the first year for the lease and parking, and \$80,000 each additional year, the current lease terms are for 3.5 years. Included in the lease are five months of free rent and a fully furnished Office Space. The previous tenants of this office had upgraded the space prior to closing due to the pandemic. The CHCA real estate attorney is currently reviewing the contract. CHCA would like to ensure our membership is in a comfortable space and will consider a longer-term home in the future.

The furniture in CHCA's current space will be stored, sold, or donated if not needed for business purposes and historical items will be preserved. CHCA has budgeted \$25,000 for moving and the moving allowance from the new property management will be utilized and the remaining balance will be applied toward rent at the new office. CHCA may enter

the space on December 1st, and all items will be removed from old space by December 30, 2020.

Motion to Approve New Building Lease 2:45 p.m. Motion Carried

PPE

CHCA will be presenting an opportunity for a mass PPE purchase. An order form will be provided to communities to help address the PPE needs of our members. CHCA is working with vendors to obtain the best prices on PPE in order to allow members to stock up for a potential surge. This will include masks, gowns, face shields, gloves; the PPE will be purchased in a large group order and will be sent directly to the facilities.

Directory

CHCA will be moving to an online directory for 2021. We cannot accommodate the usual ads that have been granted to Platinum associate members, so the pledge partner concept was created. This includes warm handoffs between associate members and facility members and more advertisement opportunities. All of this information will be included in the updated application packet.

Testing Available

PCR testing is available for \$75 each test, with a 48 hour turn around. Several companies have approached CHCA. CHCA is not endorsing these companies, but CHCA wanted to ensure the opportunity was presented to providers. The Board of Directors agrees that providers should be permitted to view lab providers, and that the companies should be discussed amongst the members.

Global Bio Risk Advisory Council

The Global Bio Risk Advisory Council promotes professional cleaning companies. This organization has an accreditation program, and once a community goes through a short training, they may become accredited. This company has been working with the Ohio association to offer the GBAC star program which provides an opportunity for members to help with census in medium and long term. The program may help to restore consumer confidence.

PFAB/NFAC Update

Josh Fant

PFAB did not meet in September.

NFAC – Starting 10/1/20 provider's will be asked to fill out an OSA when doing MDS documentation. The data collected will allow HCPF to analyze the impact of using PDPM rather than RUGS to calculate rate acuity adjustments.

Regulatory Update

Ann Kokish

The Nursing Home Innovation Grant Board is authorized to release up to \$3,000 per community from CMP funds related to tents, plexiglass and other items that support visitation.

There is a significant increase in OSHA activity in Long-Term Care, particularly regarding NHSN data that communities are now submitting. The two most common citations include communities not having documented respiratory programs and not meeting fit testing requirements. AHCA is expected to release a Respiratory program template, CHCA will provide this template once it is made available.

The ECHO program began in September. CHCA will provide the parameters for the program to members. There will be a call held next Tuesday, the Colorado hub will be discussed, as well as how communities may register.

AHCA is working to help members transition employees from temporary nursing assistant to a permanent certified nursing assistant.

District Reports

District I: There is nothing new to report for District I.

District II: District II is currently looking into setting up an emergency preparedness event for their centers between October to November. They will hold their first meeting since early March; it will be held via zoom.

District III: District III is encouraging all members to participate in the EL Paso Health Department Calls, the emergency prep. is being incorporated into weekly meetings. There are five CHCA members working on Chataqua Leadership 4.0; a presentation was given at a Long- Term Care round table. 11 members/corporations are participating with the Elder Shelter Project, and have received Non-Profit Status.

District IV: District IV held a zoom visit this month, where members shared ideas to be compliant. There will be another meeting in a couple weeks. The District has an email chain that allows them to address inquiries, in order to be helpful to their communities and keep them connected.

District V: There is nothing new to report for District V.

District VI: The next meeting for District VI will be held next Thursday and Doug Farmer will be in attendance.

Other Business

Bonita Jones.

Spotlight on Excellence and Ms. CHCA

The Spotlight on Excellence will take place October 22nd, from 6:00 pm- 8:00 pm. The lists of finalists will be provided next week, and Doug Farmer will host the awards ceremony.

Jack York sponsored the Ms. CHCA pageant and Amy Goeglein is hosting the ceremony.

Connect to Care

Maggie Ward (Department of Health Care Policy and Financing)

Connect to Care is a national job site provided by Advancing States to address the shortage of the Long-Term Care workforce. Colorado was the first state to implement Connect to Care. The program was launched in May; it is still being developed and improvements are still being made.

The Department of Health Care Policy and Financing chose Connect to Care and believe Long Term Care Communities should as well. This program is a free service to facilities, it is designed for healthcare workers and employers. This site is only open for certain provider types (SNF, AL, Intermediate Care, Residential Care, Adult Day Programs). This site is easy and provides quick results.

The program now allows job seekers to remove themselves once they have received a match. Those seeking employment may now upload resumes and up to three additional documents. Employers are provided a Prospect Dashboard that allows them to track where they are in the process with the applicant. Some future improvements will include allowing registrations in multiple locations and job seekers will be auto deleted after 45 days, unless they notify site administrators that they are still seeking employment.

Process for registration:

Pre-registration form is required prior to registration, this will require the facility name ID. Maggie Ward will contact the individual after pre-registration, the Connect to Care site is reviewed each day for verifications. Communities will receive an email from Connect to Care Jobs, to complete registration.

ConnectToCareJobs.Com
Hcpf_co_connecttocarejobs@state.co.us
(303) 807-1417

Insurance Marketplace (New Renewal Quotes)

Mike Schmitt

The insurance market is currently upside down, this is due to the lack of ability to know where COVID is going to take industry. Any communities that have not renewed their insurance prior to COVID should be prepared for several term changes, exclusions, class action lawsuit exclusion, COVID and communicable disease exclusion. Most carriers are removing occurrence-based forms.

Previously the market was getting flooded with carriers jumping in to take over special and general liability. There had been 40 plus insurance companies, there are now 10 carriers available. Most carriers have policies with a high deductible with highly limited policies. Please be aware that if there is no reform, there will not be protective measures available to shield communities from COVID lawsuits.

CHCA Staff Change

Erin Thomas will be joining CHCA on the first of November as Director of Quality & Regulatory Affairs. CHCA will be setting up meetings with Board members and partners to make introductions.

Adjourn

Meeting adjourned at 3:57 p.m.
