

Illinois Long-Term Care Council

Meeting Minutes

February 18, 2014

Voting Members present in person: Director John Holton, Tami Wacker, Bill Bell, Sally Petrone, Marsha Johnson, Jamie Freschi, Pam Niebuhr

Voting Members present by phone: Phyllis Mitzen, John England, Margaret Niederer,

State agency representatives present: Connie Jensen and Toni Colon, IDPH (on phone) Doree Vetter, IDVA (in person)

Guests and others present: Neyna Johnson, Timothy Hameetman (UIS GPSI intern), Erin Davis, Sharon Woods (IDoA contractor), Dave Suter (by phone) Sinead Rice-Madigan (Health Alliance, by phone), Joy Coyne (Molina)

Tami Wacker called the meeting to order at 10:10 am and welcomed the new members to the LTC Council meeting. New members are Marsha Johnson, Janene Brickley, XXX

The minutes were approved after the recorder corrected who Bill Bell represents on the Council since his retirement with IDPH. After retirement, he began employment with the Illinois Health Care Association (IHCA).

Co-Chair Wacker opened the floor and asked family members to report on their experience in having a loved one in a long term care facility. Family member Pam Neibuhr mentioned the lack of training among staff in facilities. Toni Colon agreed to work with Pam. Jamie Freschi, who has a grandmother in a facility remarked about the need for more staff to cover basic functions within nursing homes and the high use of psychotropic drugs on dementia residents. John England agreed with residents being overmedicated and the lack of direct nursing staff. Margaret discussed the nursing home report card developed by Families for Better Care, an advocacy group in Florida with Brian Lee as its Executive Director. She asked why is Illinois at the bottom of the heap? Why aren't IDPH identifying special focus facilities with abuse and neglect? She further asked, after reading the LTCOP Program benchmarks report, why are there so many complaints coming from facility staff to the Ombudsman program and the need for Ombudsman to put forth more effort to develop more family councils.

State Agency reports

IDPH Toni Colon publically recognized and thanked the Ombudsman Program on handling involuntary discharges and transfers. Toni explained the sequestration consequences have had on the long term care industry and why SB326 required IDPH to develop an algorithm for defining distressed facilities. She mentioned IDPH has a new focus on working with residents with dementia and the use of anti psychotic drugs, including new partnerships within IDPH to address this.

IDVA Doree Vetter reported the new Chicago VA facility hasn't broken ground.

No other state agencies reports given.

Illinois Long Term Care Ombudsman Program Report

Neyna Johnson presented on the FY2013 Money Follows the Person (MFP). Ombudsmen have been making referrals since 2010; there were 834 referrals in 2013. Referrals are now all made online, to HFS. Transitions are still posing a challenge. There was mention of the long delays, (especially for the mentally ill population), residents often face while waiting to be assessed for possible transition. To correct this, services are being expanded, county by county. Unfortunately, the process is slow by nature; BUT progress is being made. The ultimate goal is to decrease the lag time it takes for Transition Coordinators to process and transition candidates into the community, who applied for MFP. To monitor the progress of the ombudsman referrals to HFS, a new "MFP Status" Form was created, for the Regional Ombudsman to use to get information from HFS about specific delayed MFP referrals.

Action taken: Margaret Niederer requested more information. Neyna will provide Tami with a University of Chicago (UIC) MFP Report that should address Margaret's questions and concerns.

Sally Petrone reported on the program expansion. Interviews for both state level positions were held in early February and positions are waiting to be approved by the Governor's Office. In the meantime, contractual temporary staff has been hired to revise LTCOP program standards, draft administrative rules, develop a grant application for the MMAI (Medicare and Medicaid Alignment Initiative) and home care ombudsman expansion, and design an internal decision tree for IDoA Senior Helpline when calls come in about managed care.

Erin Davis discussed a recent survey conducted targeted to the regional ombudsman programs on using Title III Legal Services Providers for involuntary discharge and transfer administrative hearings. The survey showed that there were only 17 cases state-wide in the previous year where a resident was denied legal services when they requested them; meaning 91% of requests were approved, and the resident received legal assistance. When an attorney appears in person, at an appeal hearing, they provide significant value, as they advocate and support the resident.

Action taken: The Office is working to identify and correct all legal "conflicts of interest" that will come with the program's expansion.

Timothy Hameetman gave a synopsis of the stakeholder engagement process held in early December 5, 2013 – January 15, 2014 to capture stakeholders across the state to engage them in the process design of a statewide home and community care ombudsman program. Tim prepared an executive summary and a final report with recommendations drawn from participants; both are posted on the IDOA website.

Action taken: The Stakeholder Engagement meetings were so successful, discussion lead to the possibility of considering the formation of a new "Stakeholder Advisory Workgroup". This

group would consist of individuals invested and willing to lend their support, participation and feedback regarding the Ombudsman Program expansion.

Sally Petrone provided a written response about the recommendations made by Health and Medicine Public Policy Group within their final report. The responses were sent to the members prior to the Council meeting.

Legislation update

Tim Hameetman provided a summary of the bills tracked by the Office (attached) and Erin Davis gave an overview on two IDoA legislative LTCOP initiatives, SB0798 and HB1105.

Tami Wacker asked that the Council monitor the following bills: HB 5702, HB 5734, HB5852, SB3304, and HB4525.

Bill Bell and Tami Wacker spoke on a legislative proposal that IHCA is drafting about the anonymous complaints reported to IDPH. He has talked to IDPH and the other nursing home associations and wanted the Council to be aware.

Action taken: The Office of the SLTCO will continue to monitor legislation pertaining to the continuum of long term care in nursing facilities and in home and community care

Erin Davis reported on two legislative bills: 1) Changing Ombudsman access provision under the Illinois Nursing Home Care Act and sponsored by Representative Naomi Jakobsson and 2) changing the Illinois Act on Aging LTCOP provisions to increase the business offense fines, change ombudsman provision on limited mandatory reporters, and clean up language. Senator Heather Steans agreed to sponsor the bill.

The Council members agreed there was no need to change the by-laws

There were no new announcements from LTC Council members.

The next meeting is April 15, 2014 at the DNR building, River Rooms, in Springfield. The meeting will begin at 10:00 a.m.

The meeting adjourned at 2:52 p.m.

Minutes prepared by, Timothy Hameetman

