



HHSC: Long-term Care Facilities Council, June 1, 2020



The [Long-term Care Facilities Council](#) shall study and make recommendations regarding a more consistent survey and informal dispute resolution process for long-term care facilities, the Medicaid quality-based payment systems for these facilities, and the allocation of Medicaid beds in these facilities.

Members include:

<p>Ryan Harrington, Chairperson Assisted Living Services Provider Category Fort Worth</p> <p>Allison Levee State Agency Responsible for Informal Dispute Resolution Category Austin</p> <p>Byron Burris, II For-profit and Non-profit Nursing Facility Provider Category Victoria</p> <p>Linda Lothringer Survey Enforcement within The State Survey and Certification Agency Category San Antonio</p> <p>Dr. Michael Fischer Physician with Expertise in Infectious Disease or Public Health Category Austin</p> <p>Michael Gayle Expert in Medicaid Quality-based Payment Systems for Long-term Care Facilities Category Austin</p>	<p>Michelle Dionne-Vahalik Survey and Certification Agency Category Austin</p> <p>Dr. Obinna Ogundu For-profit Nursing Facility Provider Category Wylie</p> <p>Sophia Saucedo Non-profit Nursing Facility Provider Category Dallas</p> <p>Steven Nowonty Practicing Medical Director of a Long-term Care Facility Category Corpus Christi</p> <p>Victoria Grady Expert in Medicaid Quality-based Payment Systems for Long-term Care Facilities Category Austin</p>
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Call to order. The Meeting was called to order by Ryan Harrington, Chair. A quorum was established.

Adoption of March 3, 2020, Minutes. The minutes were approved as written.

Long-term Care Facilities Council Subcommittee Discussion.

Consistent Surveys and Informal Dispute Resolution. This subcommittee has not been able to meet.

Medicaid Quality-Based Systems. The subcommittee met once. They decided to have monthly meetings, but there are few substantive issues to discuss.

Allocation of Medicaid beds. There was a presentation by the staff to provide background information. Nothing was decided, but the content was informative of our current circumstances.

A draft of the full report is due in November; therefore, all subcommittee work must be complete by October. Mr. Chacon asked what supports would be needed from the program area to make the conference call meetings, and said they are available to help.

HHSC COVID-19 updates for long-term care facilities.

Nursing Facilities:

- Infection control efforts are ongoing
- Testing all residents will be wrapping up shortly
- There are updates for preparedness and response for providers (see the box below)
- Emergency rules have been put forth, outlining essential services, guidance on visitation and screening requirements.
- Weekly Q and A webinars are available
- There have been two rounds of Testing FAQs
- Trainings on infection control and PPE
- They are actively working with DSHS on plans to reopen the facilities along with additional rule making

ICFs: The efforts here are similar to the nursing facilities.

- Emergency rules around essential services, screening, visitation
- Weekly Q and A webinars
- They use guidance from CMS, DSHS, HHSC
- Trainings on the COVID response plan
- Working on a plan to reopen ICFs as soon as this can be done safely

Assisted Living Facilities:

- Provider letter 2023
- Emergency rules provided related to essential services, screening and visitors
- COVID19 response plan is updated frequently providing guidance, managing resources and what to do when a case has been confirmed
- Infection control check list
- FAQs documents are update regularly
- Check the assisted living website (provider portal) on HHSC website
- Email updates through Gov.Delivery
- Phased reopening plan is being developed

Comments, Questions and Answers

In response to a question about the number of facilities that have been tested, HHSC stated that the numbers change daily. 900 Facilities have been tested statewide and this effort should conclude this week.

In response to a question about trends, HHSC stated that there have not been any trends observed so far.

Resources Related to COVID 19 Provided by HHSC

- [Novel Coronavirus \(COVID-19\), Discharge Assessment Form for Patient Transfers from Hospitals to Long-term Care Facilities](#)
- [HHS Monitors Coronavirus, Provides Guidance to Long-Term Care Facilities](#)
- [HHSC Announces Suspension of Certain Regulations for Long-term Care Providers in Response to COVID-19](#)
- [Long-term Care Provider Web-based Training](#)
- [Gov. Abbott Announces Protective Health and Safety Measures for Long-Term Care, Hospitals and Child Care Operations](#)
- [Guidance on COVID-19 Response in ICF/IID Facilities](#)
- [Guidance on COVID-19 Response in DAHS Facilities](#)
- [HHSC Urges Long-Term Care Facilities to Update Emergency Preparedness Plans Amid Hurricane Season, Pandemic](#)
- [Guidance on COVID-19 Response in Nursing Facilities](#)
- [Gov. Abbott, HHSC Announce Emergency Rule to Increase Supply of Direct Care Providers in Nursing Facilities](#)
- [Updated Guidance on COVID-19 Response in Assisted Living Facilities](#)
- [Coronavirus \(COVID-19\) Provider Information](#)
- [Texas Provides Guidance for Nursing Facilities](#)
- [Coronavirus \(COVID-19\) Information for People Receiving Services](#)
- [HHS Provides Expanded Guidance to Nursing Facilities to Prevent Spread of COVID-19 in Texas](#)
- [COVID-19: Governor's Executive Order GA-16 Impact to LTC Providers](#)
- [Texas HHS Gives Guidance to Providers During COVID-19](#)
- [HHS Provides Expanded Guidance to Hospitals to Prevent Spread of COVID-19 in Texas](#)
- [New Guidance for LTCR Providers on Coronavirus](#)
- [LTC Providers Reminded to Plan for Emergencies and Staffing Shortages Related to Infectious Diseases](#)
- [Emergency Preparedness for Hurricane Season](#)
- [May 2020 QMP Bulletin](#)
- [March 2020 QMP Bulletin](#)
- [April 2020 QMP Bulletin](#)
- [Home and Community Support Services Agencies \(HCSSA\)](#)

- [Day Activity and Health Services \(DAHS\)](#)
- [Medicaid and CHIP Services Information for Providers](#)

Public Comment. Mr. Chacon read public comments that had been sent in. Key topics were as follows:

Marybeth Flankin provided some information about her parents and her concern for their wellbeing given the blocking of in-person visits. Her parents' facility had a 53% infection rate for COVID-19. She stated that it is impossible to determine whether her parents are receiving the care they should be getting over the phone.

Vicky Goodman described the events around her husband's death. She was not allowed to stay with her husband, and he was placed in quarantine in the hospital. He was restrained and she was unable to call and talk to him. The presumption was that he was COVID-19 positive even though he had a different lung condition. She described personal calamities around the hospitalization.

Ginger Mitchell requested to open the memory care facility at the Forum in Houston along with other nursing homes.

Susan Miller expressed her concern for her aunt in the nursing home and the impact of not being able to visit. She is required to wear a mask even though she is in isolation. They should be able to come outside to visit family with a six-foot enforcement strategy.

Claudia Smith discussed her mother who is in an assisted living facility. She also questioned the isolation of the different residents.

Sally Daniels expressed her concern with isolation of people in residential facilities. She stated that someone important to her was only treated for COVID-19 even though he had a blood infection. He ended up dying. Loved ones should be allowed to be with the residents.

Norma Frick expressed her concern about nursing home isolation. She was concerned about testing for COVID-19 virus without consent.

(Inaudible) stated that COVID-19 protocol kills. Patients are not allowed visitors. When people have dementia, they cannot recall why they have no visitors. Her husband passed away after severe weight loss. Many people are in strict isolation even though they are not sick. Many have died alone. Requested that nursing homes be opened up.

Karen Richardson Stokes stated that parents are in assisted living and she does not understand why they cannot visit her family members. The rules are for all facilities, yet we know one size does not fit all.



Trey Evans stated that his mother is in lockdown in her nursing home and her health is due to a lack of family visits. There have not been results from the COVID-19 test.

Please note: spelling for the names of the callers could not be verified.

Review of action items and agenda items for future meeting.

- Elect a Vice Chair
- Refilling the vacated seat
- Next meeting Tuesday, September 22
- Subcommittees will meet by phone in June

Adjourn. There being no further business, the meeting was adjourned.

This summary contains supplemental information from third-party sources where that information provides clarity to the issues being discussed. Not every comment or statement from the speakers in these summaries is an exact transcription. For the purpose of brevity, their statements are often paraphrased. These documents should not be viewed as a word-for-word account of every meeting or hearing, but a summary. Every effort has been made to ensure the accuracy of these summaries. The information contained in this publication is the property of Texas Insight and is considered confidential and may contain proprietary information. It is meant solely for the intended recipient. Access to this published information by anyone else is unauthorized unless Texas Insight grants permission. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted in reliance on this is prohibited. The views expressed in this publication are, unless otherwise stated, those of the author and not those of Texas Insight or its management.
