

FULL COUNCIL MEETING

Wednesday, November 9, 2004

Room 313 iV State House

Providence, Rhode Island

10:00 a.m. to 11:15 a.m.

MINUTES

I. Call to Order iV Chairman Fogarty called the meeting to order at 10:05AM. He noted November was both National Alzheimer's Disease Awareness Month and National Home Care Month and that the Alzheimer's Association and the Partnership for Home Care had provided the pre-meeting coffee-break. He thanked Liz Morancy and the Partnership members for their generosity and the tremendous job they do in providing care and support to the frail elders and their families.

In Attendance were:

Lt. Gov. Charles Fogarty, Chairman Roberta Hawkins

Maureen Maigret, Executive Director Bill Jackson

Maria Barrows Dr. Louis Marino

Mary Benway Elizabeth Morancy

Corinne Calise-Russo Karen Beauchesne (rep. Nancy Roberts)

Kathleen Carland Angelo Rotella

Kathleen Connell Al Santos

Neil Corkery Karen Smith

Bob DiCenso Cindy Soccio

Dick Freeman Anna Tucker

Senator June Gibbs Paul Tencher

Dr. David Gifford Don Williams (rep. Ray Rusin)

Sister Marietta Walsh

II. Chairman's Report

1. The Chair announced that Council member, Angelo Rotella, had recently been elected President of the American Health Care Association. He congratulated Mr. Rotella on this prestigious honor and wished him well during his tenure. Members of the council joined the Chairman in congratulating Mr. Rotella.

2. Chairman Fogarty announced that at its 2nd Annual Celebration of Healthcare Quality in Rhode Island held in October, four members of the long term care community had received awards for advancing excellence in care. He said it was important that the LTCCC recognize these outstanding achievements and acknowledged the following for their work and presented them with citations from his Office.

„h Roberta Hawkins -- Lifetime Achievement Award

Since 1978, when she founded the Alliance for Better Long Term Care, Roberta has been a tireless champion for improving the lives of our elders and those with disabilities in long term care settings. In 1998, she became the state long term care ombudsman. She is our state's pre-eminent advocate for long term care quality.

„h Cedar Crest SubAcute & Rehabilitation Center represented by Susan Whipple, Joan Hupf and Gail Dombeck. Cedar Crest was one of two recipients of the RI Nursing Home Summer Challenge created by the Nursing Home Quality Improvement Work Group for outstanding efforts to reduce pressure ulcers in nursing homes, one of the

biggest factors in poor quality care. Cedar Crest's Pressure Ulcer Prevention Program used "Out-of-the-Box" methods including use of a red Teddy Bear stamp to identify those at risk and a campaign called "Get in the Groove ¡V Move, Move, Move". As a result of the program, pressure ulcers were reduced by more than 50%.

„h Saint Elizabeth Manor, Bristol represented by Susan Burke and Julie Verbois. St. Elizabeth's was one of two recipients of the RI Nursing Home Summer Challenge created by the Nursing Home Quality Improvement Work Group for outstanding efforts to reduce pressure ulcers in nursing homes, one of the biggest factors in poor quality care. St. Elizabeth's program called "PUP" used a puppy sticker to alert staff to those at risk and other innovations using new products and consistent protocols. They consistently rank below state average for pressure ulcers in high-risk residents.

„h VNA of Care New England represented by Karen Beauchesne -- developed a unique program to improve care of patients with breathing problems. This included an education skit called Mrs. Dumbfounded.

2. Chairman Fogarty announced that following release of the HUD Inspector General Report on Suburban Mortgage at the end of September, he sent a letter to the RI Congressional Delegation requesting an update on the General Accounting Office's review of HUD "232" multi-family program and repeating his call from earlier this year for a full investigation of HUD "232" programs to see if there are adequate safeguards to prevent kinds of questionable activity

found in Suburban Mortgage Audit. He noted that the report went to the Assistant Secretary who has 120 days to respond which brings that time period to the end of the year. The Secretary can accept the recommendations or propose alternate recommendations.

III. Approval of Minutes of October 12, 2005 ¶ On motion of Mr. Corkery, seconded by Mr. DiCenso, the minutes were approved as distributed.

IV. Presentation ¶ Gail Patry ¶ Quality Partners of Rhode Island
(See Attachment # 1)

Gail Patry gave an overview of the 8th Scope of Work for nursing homes being undertaken by Quality Partners of RI under contract with CMS. She said there were two identified groups. The first is a group of 30-45 nursing homes that will work intensively in seven areas: pressure ulcer and restraint reduction, managing depression and pain, collection and monitoring of resident and staff satisfaction data and staff turnover and setting performance standards for pressure ulcers and restraint reduction (at a minimum). The second identified group will consist of (2) nursing homes identified by HEALTH as persistently poor performing. They will work with them on an individual basis, including on-site technical assistance, to address the above areas except for depression and pain management. Gail noted that nursing homes participate in this program on a voluntary basis.

Senator Gibbs asked if QPRI does anything with senior housing, to which Ms. Patry responded not yet.

V. Department Reports

„h DEA - Medicare Part D and RIPAE Coordination

DEA distributed information packets (See Attachment # 2) containing materials that had been mailed to all RIPAE enrollees. Larry Grimaldi provided updated information on the numerous public meetings scheduled to assist seniors in reviewing and choosing a Medicare Part D plan. He noted that the DEA website should be up and running on November 15th. He noted that the most important information for RIPAE enrollees is that RIPAE is not considered "creditable" coverage and that they must enroll before May 15, 2006 to avoid incurring penalties later. Many members discussed various challenges to implementing the program. Mr. Grimaldi noted that Medicare is placing a great emphasis on the "Plan Finder" available on the website but noted that few elders use computers and will need to use the alternatives i.e.: calling 1-800-MEDICARE, etc. He also noted that people on medical assistance will be required to pay a small co-pay where in the past they have not had to pay anything and expects this will be an issue for many but that the only answer we can give to that is that this is a federal program and there is nothing we can do.

Ms. Barros raised the concern asking how will people be able to handle these co-payments (even if they are small) when they may have 5-6 prescriptions to fill.

Mr. Rotella noted that significant issues arise for nursing home providers in that as of January 1st, all residents must be on a plan of their choice. Nursing homes will now have to deal with a number of plans as opposed to a single pharmacy, which many of them have

been doing. Ms. Hawkins raised the issue of how to help family members of long term care clients understand the benefit as they are often the ones called on to help residents/clients.

Mr. Spinelli noted that 27,000 RI Medicaid consumers who are on Medicare will be auto-enrolled and that letters were going out this week from Social Security to this effect. He noted that nursing home residents on Medicaid will not have to pay any co-pays under Medicare Part D, but that Medicaid waiver clients are not exempt from the co-pay and that this may be a problem, but that when this was brought to the attention of CMS officials, they would not consider changing policy to also exempt waiver clients from the co-payments. He indicated that he is spending about 60% of his time on Medicare Part D issues.

Mr. Tencher from Secretary of State Brown's office said his office was told by staff at the Woonsocket Senior Center that they were not receiving information from DEA on Medicare Part D. Mr. Grimaldi noted that Woonsocket Senior Center had been asked to host one of the sessions but had declined.

Ms. Russo said that all senior center staff were provided an opportunity to participate in educational sessions. Also, there have been dozens of informational sessions held and/or planned. Anyone wishing to book an informational session can call DEA to set one up.

Mr. Freeman noted that Medicare Part D is also an issue for the Eleanor Slater Hospital as patients may need drugs not on selected Plan's formulary and if so, these gaps need to be addressed.

Roberta Hawkins asked why the Eleanor Slater Hospital does not fall

within the "long term care" facilities category to which Mr. Spinelli responded that RI has been telling CMS for three months that this should be the case for state hospitals but was not getting any response to that concern. He noted that other states have also just come to realize that this is going to be a major problem that will impact their state hospitals as well.

Ms. Hawkins stated that in light of the co-pays that will now be required of Medicaid recipients, we should all be prepared for those who will now be going off their meds for lack of the financial resources to afford them.

Chairman Fogarty thanked Mr. Grimaldi and Director Russo for their efforts in educating the public about Medicare Part D. He noted that although the program is very complicated and has significant challenges with many features that should be reviewed, it is important for seniors to understand their options and to be aware of the penalty provisions related to the premium if they do not sign up by May 15 next year.

„h Department of Attorney General iV Roger Demers, Special Assistant, Office of Attorney General

Status Report iV Elder Justice Protection Unit (S440A/H5791Aa)

Roger Demers announced that this new unit had started one month ago. It is dedicated to prosecuting elder abuse and exploitation. Ms. Hawkins stated that she worked with the Attorney General to push for the enabling legislation, as it was much needed. She also noted the need for more training of first responders to identify crimes. Mr. Demers pointed out a recent case being prosecuted by the unit in

which an elder victim had been exploited and lost \$3,000. Mr. Rotella raised the situation of nursing home residents whose personal needs checks are stolen by family members as a crime of financial exploitation that the unit can investigate. He stated this occurs more often than realized.

Al Santos stated that family theft has been a problem and is concerned because some family members are in the role of paying the bills on behalf of their family member and if a nursing home isn't paid (because the funds are pilfered) the patient can be asked to leave the nursing home. Ms. Hawkins responded that if a patient isn't paying because someone else is responsible for paying on their behalf and they are taking their money, the nursing home can not evict the patient.

„h HEALTH - Monthly Survey Report (See Attachment # 3)

Don Williams provided the report. He noted that the report needed correction as Oak Hill is not in Warwick as was listed iV but is in Pawtucket. He noted that there had been one instance of Immediate Jeopardy relating to hot water which was immediately corrected. There was discussion about how recommended enforcement actions appear on the report. Liz Morancy stated that the enforcement actions listed seemed like overkill, that this facility is basically a good facility. Mr. Williams noted that these recommended enforcement actions are dictated by CMS and that CMS may end up not imposing the penalty or rescinding it.

IV. Work Plans iV

2005 - Progress Report

Ms. Maigret reported that she had distributed copies of a Draft End-of-Year Status Report for the Council's 2005 Work Plan (See Attachment # 4). She said she had completed most of the updates, but was still working with departments on a few items and would send a Final draft by email for LTCCC review. She asked Mr. Spinelli to report on Item # 1. He said that the timetable for this had been delayed. The RFP needs to be reviewed by the Office of Information Management and the estimated date to award a contract is now March of 2006. Chairman Fogarty noted that the Status Report points out how much work is being accomplished by LTCCC members.

2006 Work Plan Development

Ms. Maigret noted that it was time to develop the LTCCC Work Plan for 2006. She will email LTCCC members a Memo recommending which items need carrying over from the 2005 Work Plan and asking for suggestions for incorporating into the 2006 Work Plan which needs to be approved at the January 2006 meeting.

VII. Public Announcements and Public Comments v Mr. Rotella noted that the date of the next scheduled meeting, December 14, falls during the upcoming White House Conference on Aging and that several members would be attending this event as delegates.

VIII. Chairman Fogarty adjourned the meeting at 11:30AM and announced that immediately following the LTCCC meeting a ROUNDTABLE DISCUSSION ON EMERGENCY PREPAREDNESS IN LONG TERM CARE SETTINGS was taking place. Anyone interested in participating in the Roundtable was welcome to do so.