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Meeting Minutes

Home Health, Home Services and Home Nursing Advisory Committee Meeting

July 12, 2023, 10:30 a.m. – 12:30 p.m.

Join from the meeting link:

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Members Present: Aishling Dalton Kelly, Jack Kreger, Tina Moore, Jeffrey Workman, Sharon Bargmann, Linnea Windell, Rowena Oliva, Patricia Pierro

Members Absent: Shawna O'Dell

Department Staff: Karen Senger, Brian Mathis, Jackie Richmond, Stephanie Glenn, Siji Varghese, Rani Harms, Sarah Ross

Guests: Mike Steiner, Right At Home, Home Care Association of Illinois, Michelle Kramer, Always Best Care Senior Services, Jeffrey Jaunich, Always Best Care Senior Services, Elizabeth (DON), First Choice Home Providers, Laura Ravago, First Choice Home Providers

Introduction of Committee Members and Guests

Karen Senger, Division Chief of Division of Health Care Facilities & Programs called the meeting to order at (10:30 a.m.) announcing this is the Home Health, Home Services and Home Nursing Advisory Committee Meeting with today's date being July 12, 2023.

Karen Senger reminded Members and Department Staff that this meeting is being conducted via WebEx and gave a brief explanation of the protocols for conducting this meeting. This is a public meeting, and it is subject to the Open Meetings Act (OMA) and a recording of this meeting is permitted. Today's meeting is being conducted via WebEx, which allows audio and other information said during the session to be recorded. By joining this session, you are automatically consenting to such recordings and if you do not consent to be recorded, then you should not join session. This introduction statement is being read so everyone is aware that this meeting is being recorded. Since we are conducting this meeting from our desks and computers via WebEx, you will need to please mute your phone or computer when you are not speaking so we do not get echo feedback from members and guests of the public that wish to speak. Members of the Public and others wishing to speak will be recognized by the chair during public comment period, which will open at the end of the meeting for discussion/comments.

An introduction of Board members was conducted to establish a quorum. After roll call was conducted, a quorum was established at this time and the meeting was called to order.

Approval of the Draft Minutes for the April 12, 2023, Open Meeting Session (VOTE) {Exhibit 1}

The draft meeting minutes from April 12, 2023, were reviewed and discussed by the Board. Karen Senger asked if there any questions or amendments to the meeting minutes. One update was made, on page 5, correcting the number of closed home services facilities from 143 to 69. A motion was made to approve the minutes by Board member Rowena Oliva and 2nd by Aishling Kelly. With none opposed, the minutes were affirmed and unanimously carried to approve the minutes as presented.

OLD BUSINESS

Update regulatory issues: possible educational links on Website, 245.30 c) 1) I) staff safety Development of sub-committee.

This topic was previously discussed in other meetings, and we briefly talked about safety measures and things that the agency could put together regarding concerns for agency employees. The rule requires that each agency must develop safety guidelines for their staff. It's the safety of the staff not the client that we are discussing. We put together some

topics that we thought would be helpful to have as educational materials or links on IDPH's website. I'm asking that we put together a subcommittee to develop this information. Again, this is not a change in rules, just educational guidance for agencies to utilize so that their employees are safe while in people's homes. The Illinois Home Care Council gave us some great links and resources. There are also some great ones out there in relationship to OSHA regarding home safety. Many board members agree that this is a great idea and we open the floor to discussion and building the sub-committee. Aishling Dalton Kelley commits to being the chair. Pat Pierro, Jack Kreger and Rani Harms all commit to meet independently of this board. We invite all members to invite others that can join and discuss but these members would be the ones to vote. Aishling asked about a timeframe. Karen suggested that there be at least one meeting prior to our October meeting. We would like a rough draft to discuss at the October meeting and hopefully a final draft for the January 2024 meeting. Karen explained that this information will not be authoritative, just informational resources about common safety. Other associations may want to eventually use this information also.

NEW BUSINESS

Discussion on Section 2415.71 training certificates {Exhibit2}

Previously, we have discussed in licensing regulations, under training for home service workers, to increase the hours for proof of training. Workers may have received some training at one facility and then move to another and are required to complete the same training. They will still have to do competency testing for required topics. We are proposing a process where the employee receives an actual certificate that they can take to another position to prove that they've received the training. This is currently going through IDPH's legal department, so we won't be voting on this today, but Karen wanted everyone to see what we have so far and get everyone's thoughts. The certificate should show the type of training, the length of time spent and be signed by the trainer. Many consider this a good idea. Rowena wondered if there was a website that could "house" the training so that new caregivers can verify in case the employee loses a copy or doesn't have it on hand. Karen stated that the Department would not be capable of doing that. Since this is still going through legal, there will be some other issues we will need to revisit. Tina wondered if the regulation could say that the agency is required to provide to the caregiver upon request. She does not think that many will request the certificates, as they are getting paid to do the training. The current employers will need to keep copies to provide to surveyors when requested. This training certificate would only be good for 365 days. Jack notes that in other sections of 245, it defines what the record has to be that the employer keeps, so they have the times and full description of what the training is, rather than what the certificate says. Jack thinks that it should be automatic that the employer give the employee the certificate, as the employee might be afraid to ask for it – thinking it might signal that they are out looking for other jobs. Aishling agrees that they should be given the certificate at the time of completion of training. We are trying to teach the risk of being accountable and building your own files. She mentions that regarding the dementia care training, that the caregiver has the NCCB certificate. Rowena mentions that there is a resource online for members of the Home Care Council that documents the types of training and hours completed. Mike Steiner mentions that at his facility, he has over a hundred employees and many of them are worried about having to go back and get proof of training from former employees, especially if they are working at multiple facilities and are worried about getting fired. Most agencies have different types of training systems out there and the look and feel of each certificate is different. He worries at how IDPH is going to enforce this rule. Karen thanks everyone for their thoughts. This will be revisited once we hear feedback from legal. In the meantime, she mentions that agency owners should encourage their caregivers to keep good records of their trainings.

Board Membership Updates/reappointment

The Governor's office is working on filling some of the vacant positions, but we have not received word on any new board members recently. Hopefully we hear something soon. Karen asks that if anyone has any names to suggest, please contact her or Jackie Richmond with their information.

Evaluation of Educational materials- HCWBC, Training {Exhibit 3}

The Department sent out the training materials and posted them on our website. We sent them directly to all the agencies, including the information about the six internet web searches that they must conduct, even on an initial, whether there are fingerprints involved or not. So we've been tracking the deficiencies again, and basically, the training material is not as effective as we had hoped. The only area of improvement that we saw in all the categories, was the home service worker training. In all other categories, we saw more citations which is quite confusing. We were hoping for some insights from you all. Sharon Bargmann says that she thinks the trainings just aren't happening with everyone being so short-staffed and having home service worker trainings. The Alzheimer's and dementia training categories got worse, which home service worker trainings improved. Aishling thinks that a lot of agencies don't fully understand the requirement under this Act. She does trainings seminars and says that many agencies are not even aware of the law – that's been in place for 2 years now. Karen asks how we can get the information out other

than citing them for it. Aishling says that a lot of agencies can't afford to be a member or be at the seminars for Illinois Home Care Association or other associations. Tina asks if the documents that we send out prior to the survey, can be sent out in bulk, not just in preparation of survey, with a list of common deficiencies. Some of these agencies might be having their first survey or, the first one in 4-5 years and these might not have been checked in their previous survey. And then follow up again, prior to survey. Jack agrees that maybe this should be sent annually so that each agency can do a review of their practices and evaluate what they need to correct. Pat agrees that this might be a great opportunity that they don't even know is out there. Rani agrees. Jack enquires about the document. The first 4 categories are clearly yes or no. The last category, service plan issues, he believes there is more to be mined here and it might be confusing to some. Rani will add more variability to the last column so that it is clearer.

Home Health Agency Initial Applications Report {Exhibit 4}

In the 2023 data that is here, we have 19 applications from January to June. There are still quite a few in the survey process. There have been 13 change of ownerships so far and last year we only had 20 altogether. The second page which shows the numbers of agencies that have been licensed through the years, there was a spike in 2020 following the moratorium and now there has been a decline somewhat. Our volume for home health has been averaging about 590 consistently.

Home Services, Home Nursing, Home Services Placement and Home Nursing Placement Applications and surveys {Exhibit 5}

Rani talks about the data provided. The first table is a breakdown of initial applications for all licenses noted. Year to date, we have had 117 new applications processed. 14 of them have completed the process. There is one that has withdrawn and 43 are currently still in review – awaiting corrections, contracts, etc. 21 are awaiting the letter of readiness and 37 have scheduled initial licensing surveys. At the end of 2022, we had 224 applicants. Only 16 were outstanding surveys but they are scheduled, just not completed due to being short staffed. They should be resolved in the next month or so. For 2023, 85 of the applicants are home services. 23 are home nursing. 7 are home service placement and 2 are home nursing placement. For total numbers from last year to this year, there was a change of six licenses but there has been a lot of new commerce and a lot who have closed. As of April 2023, there were 69 closures. All of 2022 had 134 closures.

Individuals on quarterly review (submitted on their last application that they did not render services to clients that would qualify under the IDPH license), we've had 57 agencies. For Change of ownership, we've received 18 for this year so far. The listing of surveys compared to the last two years – captured through June 30th of 2023, shows 87 initial surveys, 160 annual surveys – which are truly not “annual” but that's the term. We're trying to get caught back up with those. 20 complaint surveys. 9 change of ownership surveys, meaning that this is their first physical on-site survey since they've changed ownership. There were three unlicensed surveys, where we got a complaint that there was an agency potentially operating without a license. Then there were five follow-up surveys, which occur after a finable finding from their previous survey that would be concerning for patient care. A total of 284 surveys from our five surveyors this year. Rani points out that the surveyors are making a huge effort to go out and survey existing agencies and are getting so much done with limited resources and a huge volume. Rani opened the floor for questions. Tina asked if there was a list of items to review or if it was up to the surveyor. Rani stated that there was a basic template but as they are reviewing documentation and performing observations and interview, those can direct the rest of the survey in a particular direction, depending on what they are seeing. We are really going to be looking at your training, your client work, your actual client files for contracts and the care that is being provided.

FYI -SB 2271 (Public Act 103- 0257) rules to be drafted {Exhibit 6}

This is just informational to let you know that there have been legislative changes to the Home Health Home Services, Home Nursing Licensing Act with is 210 ILCS 55. The Department will be working on regulations for this and hopefully we will have them ready by the October meeting and if not, by the January meeting but we are hoping for October. One of the things in the change, from a board members perspective is that the advisory board will have 15 voting members and one non-voting member. The individual that is the actual home service worker, which we have never been able to fill as a board member, would be non-voting. The difficulty in filling that position was changed in the statute.

OASIS Training Updates

Siji states that CMS has done iQIES updates that have made some improvements to the platform to upload assessments and create reports. There have been some trainings on the new OASIS on sections and there will be more training coming up near the end of summer in August and some in the beginning of September. The announcement will come through the OASIS quarterly that is being sent out. We can also post it on our website but those will be only those initial new item assessments. The full OASIS training is still not being scheduled due to location issues.

Public comment

Karen Senger asks if there is anyone from that public that would like to speak. Mike Steiner was curious about the documents mentioned in this meeting and wondered if he could get copies or if they are posted anywhere. Karen stated that they are not posted and that she would check with our legal department to see if we could release the documents at this time. She then stated that a Freedom of Information Request could be done for the release of documents.

*Rowena Oliva, board member, asked if licensing was still every two years for home health but the survey is every three to four years? It was clarified that the survey that Rani had been referring to earlier was for home services and home nursing. Home health was still being surveyed every three years. Rowena asked about the survey checklist and if we were still hoping to come up with one and put it on the IDPH website to better guide providers on important things to have in place for surveys. Rani asked her to clarify if she was referring to home services and home nursing? Rowena thinks that there should be a survey list for all types of care for clear guidance for the agencies. This aid in less deficiencies and repeated deficiencies also. Karen said that we would take that into consideration. She stated that we did have a checklist on the website at one point and that we can re-look at that document and make updates. Some wondered if the checklist could go out with the renewal application.

Board membership training (Ethics, OMA, Harassment)

Jackie Richmond noted that there are no trainings due at this time.

Future meetings Next Meeting: October 12, 2023, • 10:30 am

Adjourn 11:39pm

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