



**APPROVED MEETING MINUTES**  
**Home Health, Home Services and Home Nursing Advisory Board Meeting**  
**April 10, 2019 - 10:30 a.m. – 12:30 p.m.**  
**Video conference locations:**  
**525 W. Jefferson, 4<sup>th</sup> Floor, Springfield**  
**122 S. Michigan Ave, 7<sup>th</sup> Floor, Room 711, Chicago**  
**#22 Kettle Drive, Edwardsville**  
**2309 W. Main St., Marion**  
**Bellwood Location is not available**

**Call to Order**

**Members Present:** Chair, Teresa Garcia-Fitzgerald, Sheila McMackin, Michael Melinger, Jack Kreger, Linnea Windel, Aishling Dalton-Kelly, Jeffrey Workman, Cathleen Carlson, Pamela Duffy, Tina Moore and Shawna O’Dell.

**Members Absent:** Rowena Oliva

**Department Staff:** Siji Varghese, Beena Varghese, Karen Senger, Elaine Huddleston, Jack Fleeharty, Melinda Snyder and Kendra Fabish.

**Guests:** Michael Kernan, Susan Swartz, Ruth Prasauskas, Susan Scotcheel, Karen Stephenson, Gwen Watkins, Edwin Nunez, Maria Hermosa, Olivia Echavez, Amanda Shoemaker, Liz Vogt, Jason Speaks and Sara Ratcliffe.

**Introduction of Committee Members and Guests**

Teresa Garcia-Fitzgerald, chair called the meeting to order at 10:35 am with an introduction of Board members and guests. A quorum was established at this time.

**Approval of Draft Minutes for January 9, 2019 Board Meeting**

The Draft minutes of the January 9, 2019 meeting was presented to the Board for their review and comments. A motion was made to approve the minutes, 2<sup>nd</sup> and unanimously approved as presented.

**OLD BUSINESS**

**Regulations Updates:**

Karen Senger presented the following information on Regulations update to the Board:

- 1) **Alzheimer's disease and Related Dementias Services Code** – rules are at 2<sup>nd</sup> comment and sent to JCAR for review and approval; will bring back to the board for a more formal vote.

Board member Michael Melinger commented would like to conduct a short discussion and comments in regards to Alzheimer/Dementia Care training program for placement workers that are not trained properly that oversee patients with Alzheimer and Dementia care. There are at least 50 – 100 franchise licensed entities that provide training programs on a National level and the need of Language on certified training in the regulations.

Karen Senger commented cannot make any further changes to rules after comment period. The Agency cannot advertise they provide such services if they do not have the properly trained workers. Rules are with JCAR for comment, and the Agency can reach out to JCAR for comment as the 45 day comment period starts from April 9<sup>th</sup>.

- 2) **Health Care Worker Background Check Code 955** – Handout was given to member with all the changes to these rules are at 2<sup>nd</sup> comment and notices were presented to JCAR at their last meeting.
- 3) **Home Health, Home Services and Home Nursing Code 245** – rules pending 1<sup>st</sup> comment period ending April 29<sup>th</sup> and will be open for public comment
- 4) **Nurse Practice Act (Public Act 100-1160)** – waiting on draft copy of proposal of the rules from DPF. There are no definite timeline given on the status of the Nurse Practice Act.

Question was asked about the Department providing a training on these new administrative findings to these rule changes as this will be a new territory. Karen Senger commented the Department will send out information to the Agencies on these rule changes.

### **Pre-Claim Choice HHA**

Board member were given an updated handout on Review Choice Demonstration for Home Health Services that presented Medicare options for Pre-claim Choice review for informational purposes. Karen Senger commented will keep the Board posted on any other updates.

### **Sub Committee Development for review of Home Nursing**

This topic was carried over from the last meeting in regards to the Board forming a Task Force group to assist with this project to address the basic definition, redefine or change the definition of Home Nursing. A handout was given to the Board that included copies of the Administrative Rules, Section 245.30 – Home Nursing Agencies, the definition of Home Nursing Agency from the Act (210 ILCS 55/2.11) Sec. 2.II, and Sub Committee's task Objectives for the Board to review. Karen Senger commented that the Board can formulate a Sub Group to work along with outside members on concerns and goals of this work group.

Board member Sheila McMackin also addressed the board on this topic with some of her questions and concerns she had on this topic. A handout was presented to the Board that represented some confusion about non-medical care on the forefront with some changes and with more focus needed at the higher level of Home Care and focus on the Home Service industry. Board Member Michel Melinger further commented that back in December when the Board last met, proposed changes to home services were discussed. The Board had a discussion about how Home Services has a broader effect on the industry/community, i.e. Home Service workers can leave or transfer between facilities and how the need

to keep in mind the scope of care for discussion on Home Service and Home Nursing. How there is no current license to cover specialty care to patients.

The Board agreed to table some of these ideas and form a Subcommittee task force to discuss further and other topics such as CNA training changes, and continue discussion on Home Nursing vs Home Health. Karen Senger commented the Board needs to decide who from the Board should be on this Subcommittee (Task Force) and names of any outside members. The task force should meet face to face in person for the first meeting to be conducted via video conference and then by phone afterward's. Members that agree to serve on this task force, would need to be able to commit at least for six months.

Karen Senger asked for a list of members that would be willing to serve on this task force? The following individuals volunteered to serve; Sheila McMackin, Michael Melinger, Aishling Kelley, Jack Kreger, Theresa Fitzgerald, Shawna O'Dell. Chair, Theresa Fitzgerald commented thought non-Board Members were not allowed to serve on a Subcommittee. Karen Senger reviewed the Bylaws, and advised that non-Board members could be on the Subcommittee but not able to vote.

Board Member Sheila McMackin responded will email a list of outside guests to Karen Senger that will be willing to serve on the Subcommittee. Karen Senger commented will send a more formal invite for this Subcommittee Task Force Work Group at a later date along with a meeting date.

No further comments were made by the Board.

## **NEW BUSINESS**

### **Home Health Agency Initial Application Report**

Karen Senger presented this information to the Board that covered the status of Home Health Agency Initial applications for the period of 2018, number of HHA licensed only and licensed/certified by each quarter as of December 27, 2018. There has been a decreased in the number of Initial applications over the years with an increase in number of Change of Ownership (CHOW) applications from 2010 to 2018 for the Board to review.

There has been an increase in Home Health Agency Initial application for 2019 due mostly because of the Moratoria that was lifted with 5 Agency CHOW applications as of 3/12/19, which identify the biggest factor. There has been a decrease in the Home Health Agency industry due to a lot of closures, licenses waiting for Medicare Certification and Medicare Certification not being able to maintain licensure due to lack of business or clients.

The Board was also given a spread sheet for 2019 that noted the total number of closed facilities to be 60 facilities as of 12/31/2018, and as of 3/25/2019 there was 12 HHA facilities that closed. This report also showed a decrease in the total number of HHA licensed only and licensed/certified at the end of March to reflect 668 licensed facilities.

No further comments were made to this report.

### **Home Health Survey Findings**

Karen Senger presented and reviewed the current survey data and current number of HHA facilities as of 2/28/2019 for informational purposes. The Board was given a handout, which gave a detailed HHA Summary data for Calendar year September 1, 2018 to February 28, 2019. The report gave a summary of survey findings and the number of complaints that were received (26) and conducted (17) and number of recertification surveys (62) conducted during this time period. Of the 62 number of recertification surveys conducted, eight had COPs out that were listed in the report. The report included data for one initial licensure survey conducted, number of agencies fined for violations of failing to conduct a criminal

background check on an employees, cited and fined for out of scope and no MD orders for care and treatment and no notification of CHOW prior to purchase of a facility. This report listed a breakdown of standard level deficiencies cited from January – August, 2018 and September 2018 – February 2019 and also listed the Emergency Preparedness findings during this period.

Karen Senger commented this spreadsheet is a new format and lists the common standard level deficiencies cited and will try to bring this type of data to the board every six months. The goal is overtime this data will reflect a norm of deficiencies cited and list helpful information to help assist the Board to see what the Department is finding during their surveys. Chair, Theresa Fitzgerald commented this information was very helpful and looking forward for continued updates.

No further comments or questions were made by the Board.

### **Home Services, Home Nursing, Home Services Placement and Home Nursing Placement Applications Received and Licensed Report**

Jack Fleeharty presented this information to the Board that covered the status of Home Services/Home Nursing/Home Service Placement/Home Nursing Placement (HS/HN/HSP/HNP) Initial Licensing applications by each quarter ranging from the 2015 through March 27, 2019 for Board review. The breakdown of this data report showed a decline from 2015 as a lot of Agencies are withdrawing their applications and the number of Initial applications coming into compliance.

Board questioned the data listed for the number of applications in review and not acceptable. Karen Senger commented this figure is probably due to initial applications received by the Department and either have not been reviewed yet or in review. The Department tries to review initial applications within 30 days from receipt. Another reason would be the initial application has not been filled out completely or missing basic information and supporting documents such as incomplete contracts. The applicant has an opportunity to correct these deficiencies.

No further comments or questions were made by the Board.

### **Home Services, Home Nursing, Home Services Placement and Home Nursing Placement Survey Findings**

Jack Fleeharty presented this topic to the Board on the Survey findings for the Home Services, Home Nursing, Home Services Placement and Home Nursing Placement programs. A handout was given to members for informational purposes. The graph chart listed Home Services and Home Nursing citations by most common codes for 2018 with Health Care Worker Background Check (HCWBC) being number one for Home Services and with Operations being number one for Home Nursing. The different graphs presented showed a breakdown on common citations that were cited during surveys conducted for Home Services and Home Nursing. The last page of this handout listed the breakdown of the different types and number of surveys conducted for Home Services and Home Nursing during 2018.

The Board shared a few comments and concerns with the increase in the numbers of citations cited on HCWBC with inaccuracy of information on the Departments website. This is frustrating when contacting the Department, and a provider cannot obtain adequate or receive incomplete information when requesting a background check on an employee and all the information is not listed on the Department's website. Sometimes providers will have to pay more to obtain background information and go through a third party or an outside service to obtain more complete background information on an employee. This type of service will find low level criminal background information that the Department does not show on their website. The Board

expressed some concerns that these employees with low level convictions are providing care for clients in their home. The Agency should be able to obtain all the employees background information in order to decide to hire or be able to disqualify them for employment as this concern is directed to public safety

Karen Senger commented that some of the problem is Agencies do not complete a full background profile on their employees. The Department cannot do anything about background checks information when you go through outside/third party service, and not all data/findings is shared by State Police on criminal background profiles. Also, an Agency will complete a background profile on initial hiring, but won't complete an annual profile to keep in the employees personnel file. Jack Fleeharty commented they see that the Agency Manager changes so much, and the new Agency Manager is not familiar with this requirement. Also the agency does not fully grasp the concept and fail to complete all the necessary steps for a complete profile check and print out the profile/paperwork for personnel files.

A suggestion was made to send out a notice to Agencies in regards to the increase in background deficiencies and include a checklist to guide them through the website. Karen Senger commented memos have been sent out to providers in the past and can look at doing this again or post on the Website. This might help education providers to help get through the process and a formal notice or check list could be sent via email.

Karen Senger commented can consider sending 1<sup>st</sup> notices to remind facilities of deficiencies, and attach a memo reminder via email instead of one mass mailing. A question was asked if the Department could publish this problem on the Website. Karen Senger commented will check with legal as not sure if able to report deficiencies/violations on the Department website. Department is tracking these Agencies every 3-5 years, and will now begin to see repeat deficiencies of these Agencies starting in 2019. This report can track deficiencies by types, fines or number of repeat offenders.

No further comments or questions were made by the Board.

### **Home Health Aide Training Nationwide Comparison**

Board members were given a hand out on the comparison of Home Health Aide Training Requirements, December 2016 between states for informational purposes. The information provided in the handout noted the Federal legislation (42 CFR 484.36) requires Medicare-certified home health agencies employ home health aides that have complete a training program that consisted of at least 75 hours. The attached table showed less than one- third of the states required more than the minimum federal standard of 75 hours for Home Health Aide training. A list was included that listed each state citations for Home Health Aide Training Requirements for December, 2016.

### **OASIS Training Updates**

Siji Varghese commented on this section in regards to the upcoming 2019 OASIS Training. The next OASIS Training is scheduled for March 29 -30th at 160 N. LaSalle Room 500 in Chicago. The training information and announcement will be posted on the IDPH Calendar of Events for further details. This scheduled training is full, and the Department is planning to schedule another meeting sometime in July and another in October, 2019.

The training information and announcement will be posted on the IDPH Calendar of Events and the IDPH-HHA Website with more details. Siji Varghese reminded the Board that space is limited for these trainings and registration is required.

No further comments were made to this report.

### **Board Membership Updates**

The Board was presented information on the status of membership(s) and vacancies on the Board.

1. Membership vacancies – one (1) vacancy:
  - a. One (1) General Public/Consumer/Family Member Home Service vacated by Michele Running (Term expired 1/6/2018); nominee none

Karen Senger asked Board members to submit any recommendations to the Department for nominations to help with reaching a full Board membership to meet a quorum in order to conduct meetings.

2. New Memberships introduced – two (2) newly appointed memberships
  - a. Gary DiVito – one (1) newly appointed member for General Public/Consumer Advocate vacated by Lori Hendren (Resigned 10/18/2017).
  - b. Ahmed Morsy, MD - One (1) newly appointed member for Licensed Physician position vacant since 2014.

Chair, Theresa Fitzgerald gave a brief introduction of the two newly appointed members, and was sorry to say that the newly appointed member for the Licensed Physician position was not able to make this meeting.

3. Reappointments for 2019 – none at this time

Board members were given a current copy of the Members phone and address list for informational purposes. Members were asked to contact Department staff Elaine Huddleston with any changes or updates to this list.

### **Travel Vouchers**

Board Members were provided a blank travel voucher-mileage expense form (effective: 01/2019). Board members were reminded to complete the current mileage reimbursement form as the mileage rate has changed to \$0.58 cents per miles effective January 2019. Board Members were instructed to submit their completed travel expense forms to IDPH, staff employee Elaine Huddleston for processing. In addition, for new members completing a travel expense form for the first time will need to complete a W-9 form per request from the Comptroller's Office to enter their information in the data system.

### **Board Meeting Schedule**

#### **2019 HHA Board Meeting Schedule**

Members were given a copy of the meeting schedule for 2019. There is at least five (5) meeting locations for members to choose from to attend these meetings. Members were asked to mark their calendars accordingly and plan to attend.

#### **2020 Future Board Meeting Schedule**

Members were given a copy of the tentative meeting schedule for 2020 for Board Review. The Department is currently working on scheduling these dates, times, and meeting locations for next year (2020). There is at least five (5) meeting locations for members to choose from to attend these meeting. Members were asked to mark their calendars accordingly and plan to attend.

**Next meeting dates:**

- a. July 10, 2019 ● 10:30 am (122 S. Michigan Avenue, 7<sup>th</sup> Floor, Room 711 in Chicago, 525 W. Jefferson Street, 4<sup>th</sup> Floor in Springfield, #22 Kettle River Drive, Edwardsville, 2309 W. Main Street in Marion and 4212 St. Charles Road, Bellwood).
- b. October 9, 2019 ● 10:30 a.m. (122 S. Michigan Avenue, 7<sup>th</sup> Floor, Room 711 in Chicago, 525 W. Jefferson Street, 4<sup>th</sup> Floor in Springfield, #22 Kettle River Drive, Edwardsville, and 2309 W. Main Street in Marion). The Bellwood location is not available for this meeting.

**Meeting adjourned at 12:06 p.m.**