



---

525-535 West Jefferson Street • Springfield, Illinois 62761-0001 • [www.dph.illinois.gov](http://www.dph.illinois.gov)

**Home Health, Home Services and Home Nursing Advisory Board Meeting  
January 13, 2016 - 10:00 a.m. – 12:00 p.m.**

**Video conference locations:**

**4212 W. St Charles Road, Bellwood**

**525 W. Jefferson, 4<sup>th</sup> Floor, Springfield**

**122 S. Michigan Ave, 7<sup>th</sup> Floor, Room 711, Chicago**

Members Present: Teresa Garcia-Fitzgerald, Chair, Michael Melinger, Sheila McMackin, Denise Schrader (Proxy-Jan Grimes), Patricia Menoni (Proxy-Angie Landmesser), Donna McNally, Michelle Running, Jeffrey A. Workman, Patricia Gibson, James Wilson

Members Not Present: Vistacion Hicks

Guests/Department Staff: Michael Kernan, Brian Kernan, Gwen Watkins, Rebecca Zuber, Siji Varghese, Karen Senger, Elaine Huddleston, Kendra Fabish, Sean Dailey, Lori Hendren, Jack Kreger, Howard Snow, Bert Nila

**Call to Order**

The meeting was called to order at 10:00 a.m. Committee members, guests and Department staff member were asked to introduce themselves.

**Approval of Draft Minutes**

Board members were asked to review the draft minutes from the January 14, 2015 Committee Meeting. A motion was made to approve the minutes and By-laws with adjustments, 2<sup>nd</sup> and the motion was carried.

**OLD BUSINESS**

**Final approval of By-Laws**

Chairperson, Teresa Garcia-Fitzgerald, commented on presenting final approval of the By-laws to the Board members.

Proposed changes were discussed as follows:

- 1) Name of the Board - Name of the Board shall read as the Home Health, Home Services, and Home Nursing Advisory Committee. Name of the Board was changed to “Committee” to comply with the Statute that this Advisory Board is addressed as a “Committee” and not a “Board”

## ARTICLE I

Section 1.2 – This section states that only the 15 members appointed to the Advisory Board by the Director pursuant to Section 7 of the Home Health, Home Services, and Home Nursing Agency Licensing Act and shall be considered voting members.

Karen Senger commented that only a total of 15 members are appointed to this Board. A quorum consists of one more than the majority of voting members.

Section 1.4 – This section states that members maybe reappointed to a term, but no member maybe reappointed to no more than three consecutive terms.

Changes to this section would improve rotation of the Board members through their terms

Section 1.6 – This section states that a Board member may designate a proxy to serve at a specified meeting and to vote in place of the member by submitting a letter of designation to the chairman prior to the Committee meeting.

Legal had concerns with this section about a Board member designating a replacement/proxy candidate to represent them at a specified meeting. The concern with this section is that the replacement/proxy candidate does not meet the Department review process. Legal is recommending that this section be stricken all together as the replacement/proxy candidate has not been properly screened to meet the Board members criteria per the Department appointment process. This section also puts the Department at a legal risk with a disqualified replacement/proxy candidate for a Board member’s position.

## ARTICLE II

Section 2.6 – This section states that attendance at the Board meeting is mandatory. If a Board member misses two consecutive meeting in a row (not counting sending a proxy) that member maybe replaced.

A recommendation was made to illuminate the part of the last sentence that comments on sending a proxy. This change would be consent with meeting Section 1-6 of the Bylaws and the Act.

## ARTICLE III

Committee Officers:

The name of “Officers” was changed to address the proper name of the Board to read “Committee”.

## ARTICLE IV

Conducting Business:

Section 4.1- This section clarifies that a quorum must be present in order to conduct business of the Committee. A quorum shall consist of one more than the majority of voting members of the appointment members of the Committee.

A question was raised in regards to further clarify the last sentence as to the meaning of number of “vacancies” of the Committee. Does the number of vacancies include full appointed seats that are filled or is the number of vacancies the number of voting members of the Committee only. At the present time, there is a delay in appointment of Board members from the Director’s office and hard to have a full Board of voting members.

A proposal was made that the wording of the last sentence be changed to remove the word “appointed” This recommendation was made to meet the OMA.

The Board approved the Bylaws with adjustments as discussed.

### **NEW BUSINESS**

#### **Approval of revised Admin Code 245**

A copy of the approved and revised 77 Illinois Administrative Code 245 was handed out to the Board Members for informational purposes.

#### **Educational Material for the IDPH Website**

The Sub-committed shared two handouts for Board members to review. One of the handouts given was a Website power point with step by step instructions to help answer questions and on how to complete forms for an Initial Licensure, Renewal of license, Branch Office Questionnaire, process to file a complaint and Change of Ownership (CHOW) application for Department issued licenses. Board members were impressed with the power point document and how it covered key points on the application process.

The second hand out given to Board members was instructions that could be emailed to applicants to help them navigate and link them to the IDPH Website. The Department has a new Website for each program with its own links to direct forms needed for Illinois Home Health, Home Services and Home Nursing private duty home care and Home Health Agencies licensed applicants to complete for their license.

The Board was asked to review and submit any questions or concerns with the documents that were shared.

#### **Sub-committee Report**

Jack Kreger, President, Home Care Management Advisors and Rebecca Friedman Zuber, President of Rebecca Friedman Zuber, Inc. presented the Sub-committee Report to the Board. A project overview of the Sub-committee report was handed out to the Board members for informational purposes. The Advisory Committee formed a Sub-committee on Provider Education to help examine the issues and develop recommendations to help providers in the application process. An overview of this project included some goals to help educate applicants that are licensed under the Illinois Home Health, Home Service and Home Nursing Licensing Act so individuals can be prepared and understand the application process.

Some of the objectives covered were to develop internet-accessible informational materials, including tutorials that are easy to access and to help applicants better understand and complete the application process and with greater compliance to meet the Illinois laws and regulations that apply to the delivery of private duty home care services in Illinois.

An overview of using different kinds of financial funding sources were also discussed to use in-state and other financial sources to help support the cost of the project. Training Program Components were to include tutorials, set of content quizzes, and other resources to be developed by the Project Managers/Content Producers with input from the State Agency Partner, Advisory Committee, the IHHC Private Duty Work Group and the Illinois Chapter of the Home Care Association of America. The quiz results will be shared with tutorials users and could possibly be shared with IDPH personnel if pursued. The time frame and development of this anticipated project will require over a six to nine month period once the work activities have begun. The sub-committee would like to look at and compare with other states as to how they handle educational material and training components of the application process for applicants of home care services in their state (See attachment 5).

Chair, Teresa Garcia-Fitzgerald requested Board members to submit in any suggestions or comments and if they knew of any funding sources to contact the Department or Sub-committee. The Sub-committee was congratulated on a job well done on their hard work putting this information together for the Department and Board.

#### **Home Health Agency Initial Applications Report**

Karen Senger presented this information to the Board that covered the status of Home Health Agency Initial applications, number of HHA licensed only and licensed/certified by each quarter, and the decrease number in applications and increase in Change of Ownership applications for 2014 and 2015 for the Board to review.

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

Kendra Fabish presented this information to the Board that covered the status of Home Services/Home Nursing/Placement (HS/HN/HSP/HNP) Initial applications, number of licensed applications by each quarter for 2014 and 2015 for the Board to review.

#### **Background Checks Code 955**

The Board was given a copy of Section 955.145 - Employment Verification that is under the Health Care Worker Background Check Code for informational purposes. The applicant's information is found under the IDPH Web portal for fingerprint clearance for any health care worker that is employed by a health care facility. The health care employer must provide employment verification and termination dates (separation dates) within 30 days after hiring or terminating of an employee for each employee hired by logging into the Health Care Worker Registry to verify or enter information for fingerprint clearance. The information is used by the Department to notify current employers of any disqualifying offenses that are reported by the Department of State Police. The employee is finger printed only once and the cost of this process

is passed onto the applicant. The Department uses this as a survey tool and prints out the background check the day of survey.

### **OASIS Training updates**

Siji Varghese of IDPH commented on this section in regards to the upcoming OASIS Training. This training is being put on by IDPH due to staffing issues and concerns with health care facilities. The training covers OASIS basics and updates to providers and is scheduled for April 14, 2016 at 16 N. LaSalle Room 500 in Chicago. The training information and announcement is posted on the IDPH Calendar of Events for further details. Space is limited and registration is required. The public is encouraged to contact Carol Phillips of the Department as space is limited to two persons per facility. Board members were encouraged to spread the word and to contact Siji for any further questions.

### **Board Membership Update**

Karen Senger presented this information as to the status of the Board Membership. The Department has received several Board membership new appointees for replacement and reappointment applications for review by the Department and is pending Director Approval. Once the application is received, the Board member's application will be reviewed to make sure candidate still meets the criteria for the position that the member is representing and a recommendation is then forwarded to the Director for final approval.

The Department is still in need of a physician that is vacant at this time. Please submit any recommendations to the Department.

### **Additional Comments**

Board member Michael Melinger questioned the current process of prior notification of a survey from the Department at the provider's site by the Department. The Department explained that prior notification process is usually given whenever a provider is being scheduled for a survey for an Initial or renewal application that is being conducted by the Department. The process is different in certain circumstances and prior notification of a survey is not given when there is a follow-up survey or complaint filed against a facility. The Department tries to notify the provider prior to a survey, but due to the increase in work load and lack of staffing and convenience of the surveyor being in the area, this process is not always possible. The Department will take the Board members concerns and comments under advisement.

Board member Donna McNally commented on two physicians being audited by the State of Illinois for patients covered under Medicare/Medicaid. The provider's and physician's feel offended by these false actuations and feel the investigation attacks their reputation as a reputable physician or as a home health agency. There is an increase in the amount of Medicaid patients needing Home Care services and the physicians do not want to provide services to these types of patients. Karen Senger explained that the State of Illinois is currently under a temporary moratorium on Home Health Agencies in designated metropolitan Geographic locations. The current moratorium has been extended again as of January 29, 2016 for six months and applies to new enrollment and change in service areas of existing Home Health Agencies in these geographic locations. The FBI and OIG are currently conducting an ongoing investigation taking in consideration any identifying high risk factors for fraud, waste, or abuse from doctors and providers. FBI and OIG is trying to provide a safer environment for these patients and help

decrease the cost of the overall care by going after the offending physicians and agencies that have been identified.

**Future Meeting Dates for 2016**

The future meeting dates for 2016 were handed out to Board members for informational purposes. The next meeting date for this Board will be April 15, 2016 at 10:00 a.m., which is on a Friday due to availability of the meeting locations.

**Meeting adjourned at 11:43 a.m.**