

**Long-Term Care Facility Advisory Board Meeting
June 29, 2016 • 10 a.m.**

APPROVED MINUTES

Call to Order and Introductions

Darlene Harney, Chair, called to order meeting at 10 a.m.

Members present: Mike Bibo, Pamela Blatter, Jon Siegel (proxy for Donna Ginther), Dr. Alma Labunski, Jamie Freschi, Dr. Albert S. Maurer, George Bengel

Members absent: Robert Roiland, Kevin Switzer

IDPH Representatives and guests: Sean Daily, Elaine Huddleston, Darlene Harney, Connie Jensen, George Logan, Henry Kowalenko, Bill Bell,

Approval of May 19, 2016 meeting minutes

Board Members were asked to review and comment on the meeting minutes for May 19, 2016. The Board approved the minutes with some minor revisions but was not able to vote on due to lack of a quorum will bring back to the August 18, 2016 meeting to vote on.

Membership Update

1. Membership vacancies – four (4) voting vacancies
 - a. Two (2) Public members
 - b. One (1) Resident Advisory Council member
 - c. One (1) Advocacy or legal Assistance member

Darlene Harney commented on four (4) voting vacancies that need to still be filled. The Board was reminded that six (6) voting members are needed for the Board to vote on agenda items. Members were instructed to contact the Department if they know of any candidates that are interested in serving on the Board.

2. New Members

Dr. Albert S. Maurer questioned his representation position on the Board as a Physician Member with Illinois State Medical Society as a voting member. Dr. Maurer clarified that he is not a representative for the Illinois State Medical Society, but was recommended to serve on the Board as a physician member on medical issues by Bill Bell. The Department acknowledged Dr. Maurer's questions and concerns and will revise Department records to address Dr Maurer's position as a representing Physician.

Old Business

1. Identified Offenders (IOP)
 - a. Connie Jensen opened the discussion to answer some questions about the IOP program
 - b. An invite was suggested for a meeting to discuss the overview of how the IOP program works.
 - c. The Department is possibly looking at the fall to schedule a meeting.
 - d. The Board would like to bring in someone with expertise such as from the Office of Policy Planning Statics to help address any questions about the IOP program.
 - e. Board members were asked to contact Darlene Harney with any questions or concerns and with any names and contact information of a possible individual.
2. Medical Cannabis
 - a. George Logan commented that he has met with Connie Moody, Deputy Director over the Act and

- development of Rules that address the use of Medical Cannabis in health care facilities.
- b. Medical Cannabis Act not covered under Health Care Regulations or within Division of LTC.

3. Rule Updates

- a. The development of separate regulations/rules/guidelines for the Medical Cannabis Act is still pending.
- b. The Medical Cannabis Act does not fall under Health Care Regulations.
- c. Will need a separate set of rules to mirror the ACT.
- d. Mike Bibo comments will work on something and bring to the next scheduled meeting.

4. Complaint Data Updates

- a. Connie Jensen commented that the Department is working with IT to divide and break down information and run a report of the additional data that the Board is requesting.
- b. Process is very time consuming, and the Department is working with old computer systems which makes it more difficult to break down the data.
- c. The Department will continue to work on this project and present something to the board at the next scheduled meeting in August.

New Business

- 1. Center for Clinical Standards and Quality/Survey & Certification Group Fire Safety Requirements for Certain Health Care Facilities S&C Memo 16-22-LSC and S&C Memo 16-29 LSC.
 - a. Henry Kowalenko presented information of two new CMS S&C policy memos for notification of updated Rules and Codes for informational purposes.
 - 1. CMS S&C: 16-22- LSC Notification of Final Rule Published: Adoption of 2012 Life Safety and Health Care Facilities Code-The adoption of this regulation will require certain providers and suppliers to meet the requirements of the 2012 edition of the Life Safety Code (LSC), National Fire Protection Association (NFPA) 101 and the 2012 edition of the Health Care Facilities Code, NFPA 99.
 - i) CMS adopted and published this final rule on May 4, 2016, which updates the fire safety requirements for Health care providers and suppliers.
 - 2. CMS S&C: 16-29 –LSC Notification of adoption of the 2012 edition of the National Fire Protection Association (NFPA) 101 – Life Safety Code (LSC) and 2012 edition of the NFPA 99-Health Care Facilities Code (HCFC)
 - i) Adoption of the 2012 LSC and the 2012 HCFC Code effective date is July 5, 2016.
 - ii) Surveyors will continue to use the current process, tags and forms until November 1, 2016.
 - iii) Whenever a survey process identifies deficiencies that would be compliant under the 2012 LSC, the facility may verify compliance as an acceptable POC and the deficiency would not have been cited.
 - iv) Effective November 1, 2016, CMS will then begin surveying for compliance of the new codes.
 - v) CMS will offer online transitional training courses for existing LSC surveyors on the new requirements.
 - vi) ASPEN program and CMS Fire Safety Forms will be updated prior to the November 1, 2016 survey start date.
 - d. Rulemaking - Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300)
 - a. Sean Dailey working on updates of the Administrative Codes and CMS Memo NFPA 101.
 - b. Draft notice of proposed amendments to Administrative Code part 300-330-340 is done, signed off on and waiting for review from the Governors' office. Once Governor's Office reviews and returns to IDPH, will be brought back to the Board again for comments.
 - c. IHCA's suggested language regarding the recent Draft notice of proposed amendments to the Adm. Code (77 IAC 300) were as follows:
 - i. Deletions of language are struck out, language additions are underlined, and italicized words are statutory language and cannot be changed.
 - ii. The Administrative Code should be compliant with the NHC Act (210 ILCS 45/).

- iii. Page13 - correct and reference the correct 2012 NFPA Code.
 - iv. Page 21 - reference the revised name of the Illinois Rules for Roman numeral number xiii and note revised name throughout the code.
 - v. Page 23 – Section 300.2810
 - a. Letter b - insert a specific threshold amount so that before commencing of construction, a plan review of drawings and specifications that have an estimated cost greater than \$100,000 the facility shall submit to the Department for review and approval .
 - b. Letter c – Add statement to include a fast track approval method as an expedited method and reference the correct section (Sec. 3-202.5 (i)) of the Act.
 - c. Letter d – clarification of this section to include a more detailed plan review order for submission and approval or disapproval of drawings and specification to the Department for review.
 - d. Letter e – Last sentence to expand definition into two sections.
 - e. Letter f – reference correct section of the act.
 - vi. Page 25-26 – Section 300.2820 Codes and Standards – corrections that reference non state regulation and insert year proposed.
 - vii. Sean Dailey commented will bring forward comments suggested, and will bring Rules in line with the Federal regulations.
 - viii. The Board made a recommendation to file and emergency rule to the LSC Code changes that are effective July 5, 2016 and being enforced on November 1, 2016.
- c. Long Term Care Facility Advisory Board, [210 ILCS 45/2-204](#)
- (a) Board members were given a hand out with bullet points that listed major points of the roles, duties, responsibilities, and authority of the LTC Facility Advisory Board that is noted thru out the Nursing Home Care Act for informational purposes.
 - (b) The handout is to remind existing Board members, new members and guests of their actions, responsibilities and focus as a LTC Board and to make sure to occasionally review them.
 - (c) Specific areas that pertain to Long Term Care section should be reviewed that applies to the LTC Board.
 - (d) The Nursing Home Care Act, Rules and other forms/documents is located on line for LTC are found on the IDPH Website.

Additional Comments

Previous May, 19, 2016 minutes and agenda items were discussed but not voted on because of lack of meeting a quorum. The Department will take under advisement the Boards comments and concerns of the proposed language changes to the rules and comments to minor changes to the May 19, 2016 meeting minutes and will bring back to the Board at their next meeting scheduled in August.

Meetings:

1. Next meeting is August 18, 2016 at 10 a.m.
2. Connie Jensen will chair this meeting in place of Darlene Harney
3. Agenda items to Darlene Harney by July 21, 2016
4. Confirm attendance (or designate proxy) via email to Elaine Huddleston by August 4, 2016, Elaine.huddleston@illinois.gov.

Meeting Adjourned