



Meeting Minutes - Joint Commission on Health Care Nursing Facilities Workforce Workgroup Meeting

November 9, 2021 – 10:00 a.m.

House Committee Room

Workgroup Members Present

Delegate Patrick Hope
 Delegate Mark Sickles
 Senator George Barker
 Senator Ghazala Hashmi
 Senator Jen Kiggans

Non-workgroup Member Present

Senator Barbara Favola (virtual)
 Senator David Suetterlein (virtual)

Non-JCHC Member Present

Delegate Vivian Watts (virtual)

Workgroup Member Not Present

Delegate M. Keith Hodges

Call to order and welcoming comments – Chairman Sickles

Roll call- Agnes Dymora

Kyu Kang provided a summary of the Nursing Facilities Workforce policy options and the results of the workgroup Member poll.

Members discussed each option, with input from the industry representatives and staff from the Virginia Department of Health. Members voted on which options to endorse to the full commission at the December JCHC meeting.

Proposed Policy Option	Action Taken
<p>OPTION 1 (pg. 6). JCHC could introduce a budget amendment to include language in the Appropriation Act directing Department of Medical Assistance Services (DMAS) to develop a plan to increase nursing home reimbursement rates for nursing homes with a disproportionate share of Medicaid residents.</p>	<p>5-0 vote to endorse</p>
<p>OPTION 2 (pg. 13). JCHC could introduce legislation to amend section § 32.1-127 of the Code of Virginia to require nursing homes to provide at least 3.25 hours per resident day of total direct patient care (total RN, LPN, CNA hours), including at least 0.4 hours per resident day of RN care.</p>	<p>No action taken</p>

Proposed Policy Option	Action Taken
<p>OPTION 3 (pg. 14). JCHC could introduce legislation to amend section § 32.1-127 of the Code of Virginia to require nursing homes to provide at least the number of expected total direct care hours and total RN hours that are calculated by CMS based on resident acuity in each nursing home.</p>	<p>3-2 vote to endorse</p> <p>With the understanding that the design of a staffing standard is still a work in progress. There was extended discussion on the advantages and disadvantages of an across-the-board (Option 2) versus acuity-based staffing requirement (Option 3).</p> <p>Members also raised the need to ensure VDH will have the appropriate enforcement mechanisms to hold facilities accountable.</p>
<p>OPTION 4 (pg. 16). JCHC could introduce a budget amendment to include language in the Appropriation Act directing the Department of Medical Assistance Services to develop a proposal for a nursing home provider assessment that can be submitted to CMS for approval. DMAS should work with appropriate stakeholders, including LeadingAge Virginia and the Virginia Health Care Association, when developing the proposed assessment.</p>	<p>No action taken</p>
<p>OPTION 5 (pg. 21). JCHC could introduce a budget amendment to provide general fund appropriations to the Long-Term Facility Nursing Scholarship program.</p>	<p>5- 0 vote to endorse</p>
<p>OPTION 6 (pg. 21). JCHC could introduce a budget amendment to include language in the Appropriation Act directing the Department of Medical Assistance Services (DMAS) to design and seek CMS approval for a quality improvement program</p>	<p>5- 0 vote to endorse</p>

Proposed Policy Option	Action Taken
addressing nursing home capacity-building with funding from the Civil Monetary Penalties Reinvestment Fund. Program design could be based on the results of the Virginia Gold Quality Improvement Program pilot project.	
OPTION 7 (pg. 23). JCHC could introduce a budget amendment to include language in the Appropriation Act directing and funding the Department of Medical Assistance Services (DMAS) to include a formal evaluation that includes assessing the VBP program's effectiveness at increasing staffing and quality.	5- 0 vote to endorse With the agreement that a staff training component be integrated into this option
OPTION 8 (pg. 24). JCHC could introduce a budget amendment to include language in the Appropriation Act directing the Department of Medical Assistance Services (DMAS) to develop a plan for an enhanced reimbursement rate to nursing homes for residents with behavioral health diagnoses. The plan should include the diagnoses to be included, the additional care and staff training required, and the estimated cost. The plan should be submitted to the Joint Commission on Health Care, and the Chairs of the House Appropriations and Senate Finance Committees by October 1, 2022.	5-0 vote to endorse
PROPOSED OPTION: JCHC could endorse the Virginia Community College System (VCCS) request for general funds to expand the number of nurses (CNA, LPNs, and RNs) that Virginia's community colleges can educate and train. The decision package requests \$37.8 million in FY2023, and an additional \$52.7 million in FY24 to expand and enhance existing nursing capacity statewide. Ongoing funding starting in FY25 is estimated at \$28.9 million. VCCS indicates the investment will meet current and growing demand for high skilled nursing professionals and will strengthen pathways to high-paying health care jobs, especially for under-represented population groups.	5-0 vote to endorse

Meeting adjourned.

All presentations and a link to the archive of the video can be found on our website:
<http://jchc.virginia.gov/meetings.asp>