Governor Cuomo Unveils 2015-16 Executive Budget

On Wednesday, January 21st, Governor Cuomo unveiled his $141.6 billion 2015-16 Executive Budget. As presented, the 2015-16 Executive Budget increases overall State spending by 1.7 percent, an increase of $1.6 billion, and provides for a 3.6 percent growth in Medicaid spending, an increase of $597 million. The Executive Budget also proposes to limit state agency spending increases to 0.6 percent.

Additionally, the 2015-16 Executive Budget proposes to allocate the $5.4 billion surplus by allocating $850 million to reimburse the federal government for OPWDD billing discrepancies; $1.5 billion for upstate revitalization initiatives; and $3.05 billion for the implementation of various infrastructure and economic development initiatives.

On Monday, March 2nd NYSNFA/NYSCAL will be holding a Legislative Visitation Day in Albany to meet with key elected officials and policymakers regarding the 2015-16 Executive Budget. Please contact Stephen Hanse at 518-462-4800, extension 25 or shanse@nyshfa.org for more information if you would like to attend.

The following is a brief summary of certain initiatives included within the Executive Budget affecting skilled nursing and assisted living providers.

Among other things, the Governor’s 2015-16 Executive Budget proposes to:

**Nursing Homes**

- Establish an energy efficiency and/or disaster preparedness demonstration program to allow nursing homes to retain savings resulting from the implementation of approved energy savings or emergency preparedness measures;
- Extend from April 1, 2015 until April 1, 2019 the cap on the payment of nursing home rate appeals to $80 million annually;
- Permanently extend the nursing home 6% cash receipts assessment from April 1, 2015 forward (the additional 0.8% non-reimbursable assessment remains in effect);
- Eliminate the provision of a trend factor for nursing homes;
- Permanently extend the authorization of the managed long term care program;
- Permanently extend the requirement that nursing homes, hospitals, CHHA's and long term home health care providers maximize Medicare revenues;
- Codify in statute: (1) the Medicaid Global Cap; (2) the Savings Allocation Plan procedures for when Medicaid expenditures exceed projected Medicaid disbursements as set forth in the State’s enacted financial plan; (3) the Cap Dividend procedures to (a) distribute savings proportionately among providers and plans (not less than 50% must be made available to providers) and (b) distribute remaining funds to financially distressed and critically needed providers; and (4) procedures for the preparation of monthly reports by the DOH in consultation with the Division of the Budget; and
- Remove transportation out of the MLTC benefit package.

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Assisted Living/CHHA’s/Hospice

- Eliminate the approximately $6.5 million in funding that sustains the Enhancing the Quality of Adult Living or “EQUAL” Program and directs one-half of these funds for the purpose of moving adult home residents to community housing;
- Allocate $1.3 million to support the administration of ACF employee criminal history record checks;
- Authorize advanced home health aides to perform certain advanced tasks in homecare and hospice settings;
- Require the Office for the Aging to seek public input and issue a report by December 15, 2015 regarding the potential creation of an “Office of Community Living” to focus on, among other things, expansion of community living integration and the goals of the Governor’s Olmstead Plan;
- Permanently remove a $1.5 million reconciliation limit for the certified home health care agency and long term home health care program administrative and general caps;
- Permanently extend authorization for bad debt and charity care allowances for CHHA’s;
- Extend for two years the statutory requirement that establishes licensed home care service agencies in adult homes or enriched housing programs as providers of personal care and limited medical services;
- Permanently extends the authorization of episodic payment per 60-day period of care for CHHA’s; and
- Permanently extend the requirement that nursing homes, hospitals, CHHA’s and long term home health care providers maximize Medicare revenues.

Minimum Wage

- Increase the minimum wage to $11.50 in New York City and $10.50 in the remainder of the State on December 31, 2016.

Pharmacy/Prescriptions

- Eliminate the “prescriber prevails” provisions for prescription drugs under fee-for-service Medicaid that are not on the preferred drug list; and
- Increase the average wholesale price (“AWP”) discount for brand name drugs from AWP minus 17% to AWP minus 24% and increases DOH prescription brand name drug dispensing subsidies to providers from $3.50 to $8.00 per prescription.

Private Equity/DSRIP/Ebola/OHIP

- Establish a pilot program allowing up to five business corporations (limited to ownership and operation of a hospital) to be approved by the PHHPC to make private capital investments to restructure health care delivery systems;
- Implement statutory provisions to implement value based payment reimbursement methodologies under DSRIP to conform with the 1115 waiver;
- Provide a right to an unpaid leave of absence for healthcare professionals who volunteer to fight the Ebola virus in a country that has been classified as having widespread transmission of the virus; and
- Authorize OHIP to appoint up to 300 employees for a maximum of five years without holding a civil service examination.

NYSFA/NYSAL are actively working with the Governor’s office, legislators, key policy makers and other affected constituencies on these and other issues included within the Executive Budget.
Directors 2014/2015

District Representatives:

District 01E Representative
Mary Ann Mangels
Riverhead Care Center

District 01W Representative
Joseph Carillo
Carillon Nursing & Rehab. Center

District 02 Representative
David Moskowitz
Cold Spring Hills Center for Nursing & Rehab.

District 03 Representative
Darrell Sokol
Port Chester Nursing & Rehab Centre

District 04 Representative
Vincent Maniscalco
Middletown Park Rehab & Health Care Center

District 05 Representative
Mark Olsen
Kingsway Arms Nursing Center

District 06 Representative
Wheeler Maynard
St. Regis Nursing Home

District 07 Representative
Denise Johnson
Vestar Park Rehab & Nursing Center

District 08 Representative
Vincent Maniscalco
Middletown Park Rehab & Health Care Center

District 09 Representative
Randy Gerlach
Delaware Nursing & Rehab. Center

District 10 Representative
Lowell Feldman
Terrace Healthcare Center Inc.

District 11 Representative
Judith Dicker
Hillside Manor Rehabilitation & Extended Care Center

District 12 Representative
Ronald Pelman
Union Plaza Nursing Home

District 13 Representative
Simon Pelman
Union Plaza Nursing Home

District 14 Representative
Lori Senk
Clove Lakes Health Care & Rehab. Center

NYSCAL Representative
Brenda Scovello Pinckney
Kingsway Manor Assisted Living

February 26

Audio Conference - ICD-10: Coding Basics for Post-Acute Care
10:00 am - 11:30 am

The countdown to October 1, 2015 begins! This session will give post-acute providers the keys to unlock the secrets of ICD-10-CM coding. During this presentation, long term care providers will receive the core post-acute core coding components to assist them in accurately assigning ICD-10-CM codes for clinical and billing practices. To register, visit http://www.nyshfa.org and click on Events/Education.

February 27

NYSCAL Awards Programs Deadline

The New York State Center for Assisted Living (NYSCAL) is pleased to announce the NYSCAL Awards and Scholarship programs for 2015. The Awards program will recognize an Administrator, Nurse, and frontline caregiver for their work. In addition, NYSCAL will award one adult care/assisted living facility for their overall social and recreational programming during National Assisted Living Week. NYSCAL has mirrored this awards program after the National Center for Assisted Living’s (NCAL) Awards program. As a result, the NYSCAL winners will be nominated for the NCAL national awards. NYSCAL is also accepting nominations for the 2015 NYSCAL Volunteer of the Year Awards as well as the Nurse Scholarship application. All category winners will be honored at our annual convention’s awards banquet on June 30 at the Saratoga Springs Hilton & City Center in Saratoga Springs, NY. All of the awards applications can be found on the NYSHFA/NYSCAL website at http://www.nyscal.org.

March 2

Legislative Visitation Day - Legislative Office Building, Albany, NY

NYSHFA/NYSCAL will be holding a legislative visitation day on Monday, March 2nd in Albany to meet with key elected officials and policymakers regarding issues and concerns related to the 2015-2016 Executive Budget. Please contact Nancy Knapp at nknapp@nyshfa.org at your earliest convenience if you plan on attending.

March 19 - 20

Social Service and Activities Conference - Holiday Inn, Saratoga Springs, NY

This conference, designed for SNF and ACF/AL Social Service staff, Case Managers and Activities Staff, will bring together presenters who will motivate and inspire. They will offer attendees a variety of practical strategies they can apply in their day-to-day practice. For more information, visit http://www.nyshfa.org and click on Events/Education.

March 24

Audio Conference - Wage and Hour Update - Ensuring Your Facility is in Compliance
10:00 am - 12:00 pm

Join us on March 24, 2015 from 10:00 am - 12:00 pm for this audio conference presented by Emina Poricanin, Esq., Hodgson Russ, LLP. 2015 promises to be challenging for long term care facilities as they grapple with a myriad of statutory and regulatory changes in the wage and hour arena. From increases of the minimum wage to amendments of the Fair Labor Standards Act Regulations, there are plenty of new wage and hour developments that facilities must implement in order to be in compliance with the law. This presentation will review the most recent and major changes to federal and state wage and hour laws, common wage and hour mistakes made by long term care facilities, and practical ways facilities can mitigate their exposure to such claims. 2.0 CEUs for LNHAs, ALAs and CPAs. To register go to www.nyshfa.org and click on Education.

March 25

Human Resource Management for Healthcare Providers
9:00 am – 4:00 pm - LaGuardia Marriott Hotel, East Elmhurst, NY

How confident are you with the basic laws governing Human Resource Management? Do you utilize an objective, measureable performance based system for hiring, firing, and coaching employees? Is your current system for identifying and solving workplace issues such as discrimination and sexual harassment effective? How well does your management team know their role within union, non-union or union organizing environments? Ms. Bottitta, who is a lawyer, MSW and former HR Manager for a large SNF, will share her expertise and years of experience in managing these issues in a highly interactive session. For more information, visit http://www.nyshfa.org and click on Events/Education.
Revised CDC Pneumococcal Vaccine Recommendations

On September 19, 2014 the Centers for Disease Control and Prevention (CDC) published new ACIP (Advisory Committee on Immunization Practices) recommendations for pneumococcal vaccination of adults. Adults aged 65 years and older are now recommended to be vaccinated with the pneumococcal conjugate vaccine (PCV13, Prevnar-13®) first and then be vaccinated with the pneumococcal polysaccharide vaccine (PPSV23, Pneumovax®23) 6-12 months later. The two vaccines should not be co-administered, and the minimum acceptable interval between the PCV13 and PPSV23 is 8 weeks. Adults 65 years of age or older who have previously received PPSV23 should receive the PCV13 at least one year after their most recent dose of PPSV23.

The full ACIP statement is available online at http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6337a4.htm. Sequential administration and recommended intervals for PCV13 and PPSV23 are noted on this site.

http://www.cdc.gov/vaccines/vpd-vac/pneumo/vac-PCV13-adults.htm is another link with excellent information explaining the recommendations and has a Q and A section at the end of the recommendations.

NYSHealthFA staff were informed in January that CMS is updating the Medicare coverage requirements to align with the updated ACIP recommendations for Coverage of Pneumococcal Vaccinations. The implementation for this change was February 2, 2015. Previously, Medicare would cover only one dose of pneumococcal vaccine, either PCV13 or PPSV23 but not both, for adults 65 years of age or older. A different, second pneumococcal vaccine may be administered one year after the first vaccine was administered. Billing information is outlined in the Medicare Claims Processing Manual; Transmittal 3159. The following link contains CMS modifications for the coverage: http://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2014-Transmittals-Items/R3159CP.html

Healthcare providers should discuss with previously vaccinated patients, the risks and benefits of administering PCV13 vaccine. While the NYS regulation has not changed, the standard of care or best practice and the Medicare Coverage for pneumococcal vaccinations has changed. It is important for our long term care facilities to have this discussion with their medical directors and prepare to implement these best practices related to pneumococcal vaccine (develop policy/procedure and educate staff). NYSHealthFA will post the CMS reimbursement directive as soon as it is available.

For more information about Clinical, Quality and Operational Services, contact: Nancy Leveille at nleveille@nyshfa.org or Karen Morris at kmorris@nyshfa.org.
Reaching the AHCA Quality Initiative Goals

The American Health Care Association (AHCA) recently noted how proud they are of all the progress being made across the nation and in NYSHFA Skilled Nursing Facilities (SNF) on the Quality Initiative goals. Many of our SNF have been making significant changes in practices that are demonstrated in measurable results. The most dramatic change can be seen in the reduction of off-label usage of antipsychotic drugs, where the average rate for AHCA members has decreased by 21.1% as of the second quarter of 2014 (the most recent data available). This outpaces the results nationwide, which show an 18.8% decrease for all nursing centers. As of this reporting period, over half (57%) of AHCA member centers had met the quality initiative goal of a 15% reduction since the launch of the Quality Initiative.

On 30-day hospital readmissions, through the second quarter of 2014 AHCA has seen a 14.2% decrease in the average rate for AHCA member centers, with just over half (50.5%) already meeting the 15% reduction target expected by March of 2015. This closely parallels the rate of improvement across all centers nationally, which stands at a 14.3% reduction for this same reporting period.

We encourage all NYSHFA members who have been actively “taking the initiative” and in the process changing the lives of the people you serve for the better, to keep up the great work! Need new ideas, or guidance on your next steps in this journey? Visit AHCA’s Quality Initiative Resource Center today! www.ahca.org.
Capital District Health Emergency Preparedness Coalition Meeting

On Monday December 8, 2014, NYSDOH Health Emergency Preparedness staff convened their quarterly full planning group meeting at the University at Albany School of Public Health. NYSHFA staff and Emergency Preparedness Grant coordinator, Karen Morris attended the full day session which included subgroup meetings to address the issues of Emergency Exercise Planning, HEC/eFINDS Education and Planning, Pediatric Preparedness and Volunteer Management.

Many provider issues and concerns were addressed during these subgroup meetings and suggestions were brought back to the full coalition for consideration. The representatives from the term care provider associations noted that there continues to be concern among their constituents regarding the eFINDS system and the critical need for DOH to conduct drills. These drills were first requested when the equipment was received and the original training was completed.

Also on the agenda was the Commissioner’s Orders related to Ebola activity and the group heard about the best practices demonstrated throughout the country and in New York State. NYSDOH HPP and PHEP have been given authority to adjust their grant deliverables in order to meet the Commissioner Orders related to training, equipment and overall Ebola readiness. Infection Control personnel from Albany Medical Center presented a demonstration of donning and doffing the personal protective equipment required by CDC for direct contact with Ebola patients.

The Medical Center’s staff also reported on their activities as the Regional Training Center. The coalition continues to encourage provider engagement with all emergency preparedness activities both statewide and regionally.
CAUGHT CARING

Shelley Flanders has been named recipient of December’s Caught Caring Award at St. Johnsville Rehabilitation and Nursing Center. She was selected for demonstrating the facility’s values by always taking good care of the residents. She is a very gentle person and residents appreciate her thoughtfulness. She was nominated by resident Mabel Wadsworth. Caught Caring is a peer program dedicated to highlighting STJRN C values, trust, respect, and dignity. Any employee can be Caught Caring by demonstrating these values and enriching the lives of our residents. Nominations are open to all staff and can be made by staff, residents, or family members. Other staff members that were Caught Caring were as follows: Jenna Smith, Amanda Carpenter, Brenda Merrill, Sheryl Urs, Sally Rush and Ryan Hart.

EMPLOYEE OF THE QUARTER

Renee Foster has been elected Employee of the Quarter for the months of January through March 2015 at St. Johnsville Rehabilitation and Nursing Center.

Renee always goes above and beyond to help improve the quality of life for the residents. On several occasions she has volunteered to assist the facility in improving its delivery of care to their seniors. One example was her willingness to assist the dietary department in improving resident experience during meals. Renee is always willing to lend a hand to help others, and exemplifies the mission and vision of St. Johnsville Rehabilitation & Nursing Center, Inc.

ST. JOHNSVILLE CNAs GRADUATE

St. Johnsville Rehabilitation and Nursing Center would like to congratulate their newest C.N.A. class. These individuals have worked very hard from when this class started on 10/7/2014 and have been able to demonstrate not only proficiency in their skills but noted caring and compassion for their residents and each other. Welcome to the STJRN C staff!