



Oklahoma State Department of Health
Creating a State of Health

**LONG TERM CARE FACILITY ADVISORY BOARD
AD HOC RULE REVIEW COMMITTEE
THURSDAY, APRIL 16, 2009 - 12:30 p.m.**

MINUTES

Dewey Sherbon, Committee Chair

1. Call to Order and Introduction

Mr. Sherbon called the meeting to order at 1:00 p.m. Introductions followed.

Attendees

Committee Members: Dewey Sherbon, Wendell Short, Esther Houser, Diane Hambric, Donna Bowers, Kay Parsons.

Committee Participants and Guests: Janice Burleson; Lyndie McKinney, ORALA (Oklahoma Residential and Assisted Living Association); Penny Ridenour, OKALA (Oklahoma Assisted Living Association); Janine McCullough, DHS/APS/LTCI; Joyce Clark, Achievis Sr. Living; Belinda Arguello, Renaissance of Stillwater; Marilyn Kipps; Pat Bean, State LTC Ombudsman; Mary Brinkley, OKAHS (Oklahoma Association for Homes & Services for the Aging); Marietta Lynch, OAHCP (Oklahoma Association of Health Care Providers); Rebecca Moore, OAHCP; Judy Unruh, BVRC (Baptist Village Retirement Center); Norma Noles, Concordia; David Phillips, ODMHSAS (Oklahoma Department of Mental Health and Substance Abuse Services).

OSDH Staff: James Joslin, Chief, HRDS (Health Resources Development Service); Leslie Roberts, HRDS; Darlene Simmons, Director, Health Facility Systems; Walter Jacques, Director of Quality Assurance/QIES (Quality Improvement and Evaluation Service); Sean Tomlinson, Administrator, PHS (Protective Health Services); Dr. Henry Hartzell, PHS Deputy Commissioner; Jim Buck, LTC (Long Term Care) Assistant Chief; Mary Fleming, Director of LTC Survey; Dorya Huser, Chief, LTC; Jim Buck, Assistant Chief, LTC; Lisa McAlister, Director of NAR (Nurse Aide Registry); Jay Holland, Internal Audit.

2. Review and Consensus of the March 5, 2009 Meeting Minutes

Reference Handout 1.

Committee reached consensus with minor amendments.

3. Review of Proposals from the March 5, 2009 Meeting

Reference Handout 2. Committee may form consensus on proposals to present to the LTCFAB (Long-Term Care Facility Advisory Board).

Mr. Sherbon commended James Joslin on the handout he provided. Mr. Joslin discussed the handout with attendees which included proposed changes to: 675-9-9.1(a)(10)(A); 675-13-5(c)(2) and (3); 675-13-5(f)(5); 675-13-5(i)(6), (7), and (8); and 663-19-1.

4. Discussion Items

➤ **Proposals for Modifications to Rules - Marietta Lynch**

Reference Handout 3. Committee may form consensus on items to present to the LTCFAB.

Ms. Lynch provided a handout of motions to revise language at: 675-9-9.1(a)(10)(A); 675-13-5(c)(1), (2), and (3); 675-13-5(f)(5); and 675-13-5(i)(6), (7), and (8). Ms. Lynch discussed

different types of CMA (certified medication aide) CEU (continued education unit) training. She noted there are no 16-hour courses currently approved. Concern was expressed regarding the proposal of CMAs getting CEUs every two (2) years versus one (1) year. Mary Fleming expressed concern of how the CMAs will keep up-to-date with new medications. Mary Brinkley was concerned about waiting two (2) years - CMAs need training each year. Penny Ridenour stated LTC or AL (assisted living) in-services are done on a regular basis.

➤ **Suggestions and Ideas - Diane Hambric**

Reference Handout 4. Committee may form consensus on items to present to the LTCFAB.

- Reduce survey frequency based on deficiencies (develop appropriate range of deficiencies to reward fewer numbers with increased time between surveys).
- Use alternative "inspectors" from health department to conduct a "walk through" of each facility between surveys on an unofficial basis.

Dr. Hartsell informed the attendees a Statute change would have to be proposed by October for next year effective date. Rule changes need to be proposed August-October; however, if something is an emergency it can be done in approximately two (2) months.

➤ **Review and Discuss Inspection/Investigation Frequency Requirements, Fee Revisions Needed, and BAT (Budget Analysis Tool)**

Reference Handouts 5, 6, and 7. Committee may form consensus on items to present to the LTCFAB.

Dr. Hartsell provided an overview of Handout 5 identifying timelines.

Sean Tomlinson provided budget/cost information done on the basis of bed counts. (Handouts 6 & 7.)

➤ **Increase Revenue**

Discuss the potential of increasing revenues from fees collected. Committee may form consensus on items to present to the LTCFAB.

Fee increases were discussed. Dr. Hartsell and Mr. Tomlinson will provide proposal/analysis for review at the next meeting.

➤ **Potential for Efficiency Gains**

Reference Forms 1, 1A, and 2. Discuss the potential for efficiency gains from enhanced computer technology and duplicate forms elimination and/or modification. Committee may form consensus on items to present to the LTCFAB.

Walter Jacques and Becky Moore will research computerization of forms, etc.

5. Adjournment

The meeting was adjourned at 3:20 p.m.