

LONG-TERM CARE FACILITY ADVISORY BOARD

Regular Meeting

May 10, 2006 at 1:30 p.m. in Room 1102

Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299

AGENDA

Amended 05/01/06

Diane Hambric, Chair

- 1) Call to Order.....Diane Hambric
- 2) Roll CallLeslie Roberts
- 3) Review and Action to Approve/Amend the February 8, 2006 Regular Meeting MinutesDiane Hambric
- 4) Update on the Ad Hoc Assisted Living Regulation Review Committee Esther Houser
Update on the progress of the Ad Hoc Assisted Living Regulation Review Committee regarding the review of proposed amendments to OAC 310:663, Continuum of Care and Assisted Living rules, which were presented at the February 8, 2006 Long-Term Care Facility Advisory Board meeting.
- 5) Discussion of Long-Term Care IssuesDorya Huser
 - *Announcement of upcoming Provider Training for Nursing Facilities: June 28th and 29th in Oklahoma City and July 26th and 27th in Tulsa.*
 - *Announcement of upcoming Provider Training for Intermediate Care Facilities for the Developmentally Disabled: September 20th.*
- 6) Review, Recommendations, and Action on Proposed Amendments to OAC 310:677, Nurse Aide Training and Certification.....Henry Hartsell Jr.
Amendments are proposed for emergency adoption to be effective upon approval by the Governor. The proposed amendments will stop the imposition of certification and application fees for long-term care aides, which is the category of nurse aides eligible to work in nursing facilities and skilled nursing facilities. Currently, fees ranging from \$5 to \$15 are charged for all categories of nurse aides. After this change, the fees will apply to certifications and applications for home care aides, certified medication aides, aides providing direct care to persons with developmental disabilities, residential care aides and adult day care aides. The elimination of certification and application fees for long-term care aides is intended to comply with Sections 1819(e)(2) and 1919(e)(2) of the Social Security Act, and Title 42 Code of Federal Regulations Section 483.156(b)(4), and with recent instructions from the Centers for Medicare and Medicaid Services. The amendments include a brief description of the application form required for recertification. The Advisory Board may review, make recommendations regarding, and act to approve in its advisory capacity the proposed amendments.
- 7) Review, Recommendations, and Action on Proposed Amendments to OAC 310:675, Nursing and Specialized FacilitiesHenry Hartsell Jr.
Proposed is the deletion of provisions that require nursing facilities to submit the Federal Tax Waiver, ODH Form 953-H. The Internal Revenue Service will no longer accept the ODH Form 953-H. The Internal Revenue Service in April 2006 advised the State Department of Health that all requests for verification of federal taxes must be submitted

Meetings are posted at:

<http://www.health.state.ok.us/calendar/mtngs/index.html>
<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>

on the IRS Form 4506-T. The Internal Revenue Service can no longer provide the Department of Health with a "yes/no" answer as to whether an entity is in compliance with federal tax requirements. Emergency action on this rule is needed to avoid unnecessary costs for facilities and the Health Department to prepare and process the unusable ODH Form 953-H. If this rule amendment is approved, then the ODH Form 953-H will not be required of approximately 430 nursing and specialized nursing facilities that are due to file for license renewals in July 2007. The Advisory Board may review, make recommendations regarding, and act to approve in its advisory capacity the proposed amendments.

8) Consideration and Action to Appoint an Ad Hoc Nursing Facility Rule Review Committee James Joslin
Consider the appointment of an Ad Hoc Nursing Facility Rule Review Committee for the development of rules and amendments to OAC 310:675, Nursing and Specialized Facilities. Identified items for review are:

- Statutory Change in incident reporting: Incident reporting change to 24 hours; OAC 675-7-5.1(e) to incorporate statutory change at 63 O.S. 1-1939.I(1)
- Sex Offender Law: to incorporate new law at 63 O.S. 1-1946
- Standards for Physical and Occupational Therapy facilities for future construction in all nursing homes OAC 675-5-6 & 7
- Review of 310:675-5-9 for compliance with newly adopted Chapter 257, Food Service Establishment
- §63-1-1950.7. B. The State Board of Health shall promulgate rules to establish and maintain the nontechnical services worker abuse registry.
- Update of Appendix B: Reference List for Standards of Practice
- ICF/MR Staffing in 16 bed or less:
§63-1-1925.2. D. The State Board of Health shall promulgate rules prescribing staffing requirements for intermediate care facilities for the mentally retarded serving six or fewer clients and for intermediate care facilities for the mentally retarded serving sixteen or fewer clients.
- Tuberculin skin testing: specifications for tuberculin skin testing of facility employees and residents.

9) New Business

Not reasonably anticipated 24 hours in advance of meeting.

10) Public Comment

Please limit comments to three (3) minutes.

11) Adjournment

The regular meetings will be held at 1:30 PM in Room 1102 of the OSDH Building and are scheduled on August 9 and November 8.