

Board of Directors Meeting
Board on Aging and Long Term Care
Virtual Meeting via Zoom
May 11, 2022

Chair Michael Brooks called the meeting to order at 9:00 am. It was noted that this meeting was properly noticed under the Open Meetings Notice law.

Members Present: James Surprise Dr. Dale Taylor Barbara Bechtel
Tanya Meyer Michael Brooks Abigail Lowery
Dr. Valerie Palarski

Staff Present: Kellie Miller Vicki Buchholz Kim Marheine
Jessica Trudell Vicki Tiedeman Rachel Selking

Guests Present: Cory Stinebrink, Executive Policy and Budget Analyst, Department of Administration
Adam Fermanich, Human Resource Director, Department of Administration

Agenda: Approval of agenda as submitted M/S/C (Taylor/Palarski)

Minutes: Minutes of the February 9, 2022, board meeting were approved as presented M/S/C (Lowery/Palarski)

Executive Committee Minutes: Minutes of the April 19, 2022, Executive Committee meeting were approved as presented M/S/C (Lowery/ Surprise)

Remembrance of Heather A. Bruemmer, Executive Director and State Ombudsman by Board Members and Management team.

Program Updates:

Volunteer Services Update, Ms. Miller, Volunteer Services Supervisor

Ms. Miller reported on the following:

General Volunteer Ombudsman Program updates:

The Executive Board Members have selected the 2022 Louise Abrahams Yaffe Volunteer Ombudsman Program Award recipient. The Volunteer Ombudsman selected is serving in his 10th year in the central region of the state. He will receive his prestigious award from the Board on Aging and Long Term Care and was recognized during the virtual Alzheimer's conference May 1, 2022.

The Volunteer Ombudsman Program is conducting monthly large group virtual training sessions to achieve the Volunteer Ombudsmen training requirements of the Administration of Community Living.

The February virtual in-service for the Volunteer Ombudsmen was presented by the Board on Aging and Long Term Care Medigap Program on the Medigap Helpline Services. The March virtual in-service for the Volunteer Ombudsmen was presented by The Greater Wisconsin Agency on Aging (GWAAR) on Guardianship. The April virtual in-service for the Volunteer Ombudsman Program was presented by a motivational speaker and author of the book "Life Happens, Live It!".

In-person resident council meetings and in-person room to room visitation are occurring for the Volunteer Ombudsman Program. Facility visit requests are screened and approved on an individual basis, in part based on the facility and community COVID 19 transmission, spread, and outbreak. Volunteer Ombudsmen are in attendance at virtual resident council and individual resident meetings when in-person visitation cannot occur.

Outreach/Recruitment:

The launch of the agency website and branded materials has increased outreach in all regions.

Volunteer Ombudsman Program Staff:

This writer presented "Best Practices and Uses of Volunteers in Long Term Care Ombudsman Programs during the Pandemic", for the Administration of Community Living (ACL) on March 15, 2022. This presentation, with over 400 participants across the nation, included approaches to meet the needs of our communities utilizing and maintaining volunteer engagement.

The Volunteer Ombudsman Program staff routinely attend relevant educational trainings, webinars, and in-services.

Medigap Helpline Program Update

Ms. Buchholz, Medigap Helpline Supervisor reported on following:

Counselors have worked with 3066 calls which is almost 800 calls over the previous year in this first quarter. The average call length was 30 min per call which was in part due to the "GEP Unwinding project" the counselors participated in. Counselors have participated in seven virtual outreach events including professional updates, an Overview of Medicare options for the Outagamie County Sheriff's Office and the Wisconsin Diabetes Awareness group. A press release on Dual Special Needs plans was also completed.

Outreach:

The Medigap Helpline staff will attend in-person events in person following the agency protocols on health and safety.

GEP Unwinding Project:

During the Public Health Emergency (PHE) beneficiaries who were eligible for Medicaid (T19) did not have a review nor did they lose their Medicaid coverage. The Department of

Health Services (DHS) is the lead agency working toward preparing the beneficiaries as well as agencies impacted toward the point when the PHE has been determined to be over. Questions remain on what the process will be for all Medicaid members to determine continued eligibility. Medigap counselors reached out and contacted 1078 persons to review their options by understanding their Medicare status. 690 (64%) had a contact and 385 (36%) were unable to be contacted.

Complaint Tracking Modules:

The year-to-date count has 17 complaints being completed. 16 of those complaints had positive outcomes with 1 complaint being found as not meeting the level needed to be reversed per the investigations. This beneficiary was assisted by use of a Special Enrollment which occurred the following month instead of a retroactive switch.

Federal Legislature looking at Medicare Advantage plans:

Legislatures have been moving toward greater scrutiny toward Medicare Advantage plans. Questions regarding overpayments, requesting increased transparency, marketing practices, all which impact Medicare beneficiaries.

Ombudsman Services Update, Ms. Marheine, Ombudsman Services Supervisor and Ms. Selking, Assistant Ombudsman Services Supervisor

Ombudsman Program Updates:

In-person fieldwork has largely resumed to pre-pandemic level, though staff remain vigilant about the status of COVID-19 outbreaks in all settings. Ombudsmen are attending care and discharge planning conferences, as well as staff in-service presentations. Staff continue to abide by the agency's infection prevention and control practices as outlined in the Re-Entry Plan.

K. Marheine has begun her orientation to the State Ombudsman designee role. Partners include the National Ombudsman Resource Center (NORC) and the National Association of State Ombudsman Programs (NASOP).

Issue Advocacy

The program's annual data has been certified by the Administration for Community Living (ACL) without any requests for revision.

Staffing complaints and the associated outcomes remain the most frequent complaints. These complaints also impact access of admissions to both nursing homes and assisted living communities, as well as transfers of hospitalized residents.

Ombudsman Program staff have been making presentations at conferences on topics related to residents' rights that are impacted by the continued pandemic response, critical staffing levels and decision-maker challenges.

Ombudsman Leads are involved in workgroups aimed at planning for the “Unwinding” of the holds on adverse Medicaid actions once the Public Health Emergency is officially suspended. Surveillance Workgroup continues its work on rights and processes associated with the use of surveillance devices in long-term care settings.

Monitoring of Rules & Regulations/Facility Monitoring

Twenty-eight Immediate Jeopardy cites (as compared to fourteen in the previous reporting period) have been noted since the February Board meeting. The Ombudsman Program continues to monitor the remedies set forth by CMS for the cites noted above.

K. Marheine has been appointed as the Patient Care Ombudsman by the United States Bankruptcy Court in the Western and in the Eastern District of Wisconsin, to monitor eight assisted living facilities, with 2 new bankruptcies having started since the last board meeting. The bankruptcy case of two other assisted living facilities was recently dismissed.

Nursing home and assisted living closures continue to be managed at a higher than typical level. Critically insufficient staffing appears to be the most frequently stated reason for closure, at times combined with financial stress.

Administrative and Legislative Report, Jessica Trudell, Acting Executive Director (AED) and Counsel to the Board.

Legislative Report

State legislature is not in session.

The Biden Administration has announced reforms aimed at improving the quality of nursing home care for residents. Some of the reforms would be implemented through CMS while others would require legislation. Reforms include establishing a minimum nursing home staffing requirement through CMS rule, reduction of use of inappropriate antipsychotic medications, provide additional funding for state and CMS inspections, expand financial penalties, increase transparency regarding owners and operators, continue Covid support, strength infection prevention requirements and improve staffing.

CMS announced an equitable relief period for people who did not enroll in Medicare timely due to issues with the SSA’s phone service. Individuals who missed their enrollment period from January 1, 2022 onward can enroll without penalty through December 31, 2022. The SSA has also resumed in-person appointments. CMS has also lifted some nursing facility regulatory waivers in effect during the pandemic.

Administrative Report

Ms. Trudell has worked closely with the Department of Administration and the management team during this transition period. AED has worked collaboratively with the State Ombudsman Designee. Management is in the process of planning a management training this summer as well as our fall staff in-service.

The state fiscal 2022 year will end in June and the agency's budget is on track. AED has been working closely with budget staff to evaluate and monitor the status of our budget.

BOALTC's interview portion of the "Continuity of Government Operations Program" for the agency with the Department of Administration is completed.

Legal Counsel/AED continues to work with management on the re-entry plan for our long-term care homes and community-based services, Volunteer Ombudsman Program, and our Central Office. We continue to monitor the COVID-19 pandemic and evaluate program work daily. Legal Counsel continues to assist staff and management through legal consults.

BOALTC will have their on-site monitoring of our Equity and Inclusion plan in June by the Bureau of Equity and Inclusion, with assistance from DOA HR. AED is also working with DOA HR in implementation of a new electronic performance evaluation process for the agency.

Presenter:

Michelle Grochocinski, Ship Director, Wisconsin Department of Health Services, Bureau of Aging and Disability Resources

Ms. Grochocinski presented on the following:

- Wisconsin Medicare Landscape
Wisconsin has over 1,200,000 Medicare beneficiaries
- Wisconsin SHIP Network
The U.S. Administration for Community Living (ACL) provides two kinds of funding to states to help people with Medicare understand their options:
 - State Health Insurance Assistance Program (SHIP)
Wisconsin receives about \$1 million annually to support Medicare-related outreach
 - Medicare Improvements for Patients and Providers Act (MIPPA)
Wisconsin receives about \$680,000 per year to support supplemental outreach and application assistance for:
Medicare Part D Extra Help (LIS)
Medicare Savings Programs (MSP)
Medicare preventive benefits.
- SHIP Federal Partners:
Social Security Administration
Centers for Medicare and Medicaid Services (CMS)
Administration for Community Living (ACL)
- Wisconsin Partners Statewide:
Medigap Helpline
Medigap Part D and Prescription Drug Helpline
Disability Rights Wisconsin Medicare Part D Helpline
Office for the Deaf and Hard of Hearing

- Impact of COVID-19:
Impact of the Public Health Emergency on Beneficiary Contacts
The number of group outreach events is significantly reduced, as is attendance at events
- General Enrollment Period Outreach Initiative:
The Division of Medicaid Services and SHIP worked together to contact 1,337 Medicaid members who may have missed their Medicare Initial Enrollment Period, encouraging them to talk to Social Security about Medicare enrollment
- Statewide MIPPA Outreach Projects
 - A mailer will be sent by the Department of Health Services to individuals in 48 counties (chosen due to low contact with the program) within the three months preceding their 65th birthday
 - Animated digital ads in English and Spanish will be promoted statewide from May through September 2022

Board of the Executive Director/State Ombudsman hiring process

The Board will be involved in the hiring process to appoint a successor Executive Director and State Ombudsman and will follow state civil service requirements, with the assistance of the DOA Division of Personnel Management.

Comments from the Public

No comments from the public.

New business: No new business.

2022 Board meeting dates: August 3rd, November 9th

Adjournment: Meeting adjourned at 1:30 pm M/S/C (Bechtel/Taylor)

Respectfully submitted,
Vicki Tiedeman, Recorder