

Nursing Home Oversight Working Group Meeting Minutes

December 7, 2018

Members:

Monica Hutt Pam Cota Lindsay Gillette Steve Monde Sean Londergan Laura Pelosi Diane Novak Judy Morton

Staff: Camille George Candace Morgan Stuart Schurr Liz Perreault, Rebecca Chalifoux, Kathleen Denette, Conor Kennedy

Members of the Public: Andrew Bachand, Toby Howe

Invited Guests: none

Topic	Discussion	Action
Review Agenda and Minutes and Approval of Minutes	<p>There were no proposed changes to the agenda.</p> <p>The November 26, 2018 minutes were reviewed.</p>	The November 26, 2018 minutes were approved as written.
Review Enhanced Licensing Proposal/Reach Consensus on Proposal for the Report	<p>Pam Cota reviewed with the group the document; Enhanced Licensing Process Proposal. Since this document is in first draft form, there were some changes in wording and suggestions of eliminating pieces that were not necessary for the purpose of this document. Overall, this proposal encompassed much of what the group had been talking about over the last several months regarding quality of care.</p> <p>Other pieces that will require review and approval from others include:</p> <ul style="list-style-type: none"> • Long Term Care States Ombudsman’s review and approval of public information. • A legal review and approval of court records • Financial review and approval <p>Concerns were raised about what would trigger a requirement for a purchaser to need a Critical Consent Order. What would the criteria be? What would the scope of the order be? What, if any, would the sanctions be?</p> <p>Other states intentionally keep the criteria open because of how many components are taken into consideration when determining the need to require a Critical Consent Order. Pam can write down the things that will be taken into consideration, but it will not be black and white.</p> <p>Other points:</p> <ul style="list-style-type: none"> • A timeline needs to be mapped out 	<p>After full review of the Enhanced Licensing Proposal the group agreed that this document covered the issues that had been brought forth and fulfills the charge of the Legislature. With the understanding that this is a rough draft and fine tuning will need to be done in order to implement the new process, providing the legislature supports this process.</p>

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- There should be language addressing the steps that will be taken if an applicant is denied a license and the applicant's recourse
- This proposal will need to be accepted by the legislature in whole for it to work and there must be funding for the additional review and oversight this process will require

Review AHS Consensus Proposal for Transfer of Ownership Process/Discuss Working Group

The big picture proposal for financial review and approval for the Transfer of Ownership would be to have a group in DVHA review documents and either approve or deny the financial viability of a potential purchaser of a nursing home.

Recommendations/ Reach Consensus on Proposal for the Report

Things this team would look at in deciding whether or not to approve the transfer of ownership would potentially be:

1. Evidence of financing
2. Evidence of available outside cash flow that the purchaser is willing to use if it is needed; i.e.: a line of credit
3. Evidence that they are in good standing with all taxes
4. A description of the purchasing transaction
5. The entire transaction structure
6. If there is one, a review of the Management Company's agreement
7. Table of Sources and Resources

Other

Monica has requested and received an extension to present the report. The new due date is January 31, 2019.

The report to the Legislature will begin to be pulled together by Monica, Candace and Connor.

Next meeting: Rate Setting will provide a draft of the financial requirement piece and the ongoing oversight.
