



4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215
TELEPHONE: 410-764-3460 FAX: 410-358-1236

Nursing Home Acquisition Workgroup

MEETING SUMMARY

Monday, December 7, 2023

11:00 am – 12:00 pm

Recording Link: <https://www.youtube.com/watch?v=ZcAsEGeJsB8>

Attendees (all virtual meeting)

MHCC Staff

Ben Steffen
Caitlin Tepe
Catherine Victorine
Jeanne-Marie Gawel
Julie Beard
Linda Cole

Commissioner Marcia Boyle
Stacy Howes
Theresa Lee
Tracey DeShields
Wynee Hawk

Workgroup Members and Interested Parties

Alexandra Baldi
Amanda Celentano
Ann MacKay
Anna Palmisano
Claudia Balog
Dorinda Adams
Erin Davis
John Spadaro

Gary Attman
Heather Reed
Hope Morris
Howard Sollins
James Forsyth
Jane Sacco
Joe DeMattos
Stevanne Ellis

Josie Ogaitis
Delegate Ken Kerr
Marta Harting
Paul Miller
Delegate Samuel Rosenberg
Schonette Walker
Shelly Martin

10:00 am

1. Welcome- Dr. Stacy Howes welcomed the workgroup.
2. Review current recommendations and comments-Dr. Howes and Jeanne Marie Gawel reviewed the recommendations and comments.

- **Recommendation 1**

Ms. Gawel disclosed that the only change on this slide was adding fines/payment denials, and we were already looking at this information. Howard Sollins stated that almost all nursing homes have received fines. Anne McKay replied that she surveyed many nursing homes who did not have fines. Joe DeMattos expressed concern that the discussion in the meetings was not represented in the recommendations.

- **Recommendation 2**

There were no comments on this slide.

- **Recommendation 3**

Ms. Gawel stated that this was a new recommendation in response to comments from the workgroup. Mr. DeMattos stated sometimes nursing home residents don't have family and it should say "or representative". Tracy DeShields asked how would you resolve that issue? Mr. DeMattos and Mr. Sollins replied that the nursing homes know who to contact. Ms. McKay agreed that the nursing home can get the word out. Dr. Howes reviewed comments.

- **Recommendation 4**

Ms. Gawel stated the first change here was from two years to three years after an acquisition. Mr. Sollins commented that the metrics should be run by a finance expert and direct care should be defined the same across the board. Mr. DeMattos stated CMS already defines the direct care ratio of staffing at 3.0. He also stated that we should look at how the state defines direct care. Ben Steffen stated that our intent is not to create more work and that much of this data is already available. Mr. Sollins stated that these changes will make the acquisition process more of a hurdle. Ms. Gawel continued that the other two changes were the addition of monetary fines and adding the OAG to the report. Stevanne Ellis also requested that the Ombudsman's office be copied on the report. Dr. Howes reviewed comments.

- **Recommendation 5**

Ms. Gawel stated recommendations 5-7 were statutory changes. Dr. Howes reviewed comments.

- **Recommendation 6**

Mr. DeMattos stated there is a difference between 3 bed rooms and 4 bed rooms and he is researching the issue.

- **Recommendation 7**

- **Recommendation 8**

Anna Palmisano expressed ongoing concern about OHCQ not being able to do post-acquisition surveys. Dr. Howes stated Senator Beidle was requesting more funds. Heather Reed stated that it was an unfunded mandate. Ms. Ellis said the Ombudsman is already involved in the whole acquisition process.

Ms. Gawel stated that the last recommendations were for other agencies.

- **Recommendation 9**

No feedback on this slide. Dr. Howes reviewed workgroup comments.

3. Discuss any remaining comments/concerns

Gary Attman stated that facilities may have to be compensated if they have to reduce beds.

4. The Next Steps were reviewed by Dr. Howes. The recommendations will be presented to the Commission on December 14, 2023. The workgroup report is due January 2, 2024.

Dr. Howes and Mr. Steffen closed the meeting.