



MEMBER BRIEFING:
APD Testing Requirement, Visitation Guidance Coming, ALF/RCF Rules Update
July 1, 2020

OF SPECIAL NOTE

APD Team Working to Implement Testing Requirement

Feedback provided by members to Mike McCormick, APD Interim Director and Jack Honey, SOQ Administrator, on the Governor's testing order for LTC facilities contributed to APD's decision to push back their plans to file a draft rule last week. LeadingAge Oregon met with APD, representatives from the Health Authority, including local public health authorities on Friday to discuss and provide further feedback on implementing the testing requirements.

On a stakeholder call yesterday, McCormick indicated that a "big team was working on how to implement the testing requirement" to have all LTC facility staff and residents tested by September 30, 2020. He indicated that staff will be required to be tested as a condition of employment and that residents will be offered the test.

Per feedback received by providers, the state will be executing one or more contracts with a vendor(s) to facilitate/coordinate the testing that will be provided at a rate established by contract. Providers who do not want to use one of the contracted vendors can use another lab and be reimbursed for the cost of the test at no more than the state-contracted rate. The governor has committed to covering the testing costs required to establish the baseline testing by September 30.

Per communication with McCormick today, he plans to send a draft copy of the rules to LeadingAge Oregon by noon tomorrow but added it may be later due to the amount of internal debate going on. APD's preliminary goal is to publish rules next week. LeadingAge Oregon will keep members apprised of the latest information on this.

STATE NEWS

Outside Visitation Guidance Forthcoming

At yesterday's stakeholder meeting, Mike McCormick, APD Interim Director, indicated that the question of whether to allow visitation within LTC facilities was one of the hardest to deal with. APD had been moving towards adopting visitation guidance a few weeks ago. Due to feedback provided by public health, the guidance was put on pause. Now with "cases exploding", McCormick indicated APD's extreme concern about COVID-19 entering facilities. Per McCormick, APD has decided to allow outdoor visitation and will be providing guidance on how that will be allowed to occur.

First Special Session Adjourns After 3 Days

After meeting for three days, Oregon's first special session adjourned Friday, June 26 passing pandemic relief measures and police accountability reforms. Bills passed include HB 4213 extending Oregon's eviction moratorium and enacting a repayment period for renters; and HB 4204 providing some basic

protections against foreclosure. See [Lane Powell's Overview of HB 4213 Continuing Eviction Moratorium](#).

Also passed was [SB1606](#) prohibiting hospitals or emergency departments from withholding or conditioning treatment unless a patient has physician orders for life-sustaining treatment (POLST) form, advance directive, or other instructions regarding life-sustaining procedures. See [Dr. Susan Tolle's testimony](#) that addressed concerns over unintended consequences with the original bill that were addressed in the final bill.

Governor Brown will call for another special session around mid- to late-July, to deal with the state's projected \$2.7 billion shortfall. The plan is to wait to see if any additional federal aid will be forthcoming prior to lawmakers cutting the budget. Mike McCormick indicated that due to lower caseloads and spending, there are substantial savings in APD's budget adding that APD's budget was in relatively good shape.

ALF/RCF Rule Updates

As noted last week, the Safety, Oversight and Quality office of APD has made amendments to the administrative rules for Assisted Living and Residential Care effective June 24, 2020. They have provided a summary of the key changes to OAR, Division 54:

- Effective October 1, 2020, each facility will need to develop a Consumer Summary Statement that provides a specific summary of services. More information will be coming with further information.
- A new section has been created that contains only a description of documents facilities need to provide to potential residents. The documents have not changed, they have just been consolidated in one place in the rules.
- Facilities must now provide residents with information concerning the availability and services of the Long-Term Care Ombudsman at the time of admission.
- All ALF/RCF administrators will need to obtain a license from the Health Licensing Office by January 1, 2022. The amended rules reflect these requirements and notification requirements of an administrator's license.

Memory Care Community (MCC) rules have also been updated to reflect current language and to ensure consistency with licensing requirements.

See the Administrator Alert [here](#) with the full summary of changes and the updated rules [here](#).

Medicaid Rate Schedule Effective July 1st

APD sent out a policy transmittal updating the Medicaid rates effective July 1, 2020. The assisted living/residential care rates represent a 5% increase from the rate in effect prior to the COVID 10% increase, but a 5% reduction from the COVID rate. See the updated [Medicaid Rate Schedule](#).

NATIONAL NEWS

Physical Inspections in Senior Housing Communities During COVID-19

Join LeadingAge national for a special edition of the Housing Advisory Group on **Monday, July 6th**, from 9:30-10:30 am PT. HUD REAC leadership, including Deputy Assistant Secretary David Vargas and Director Steve Bolden, will provide updates on physical inspections in HUD-assisted housing during COVID-19, in particular strategies for prioritizing health and safety in senior housing communities. Inspections from

REAC, as well as for HUD's NSPIRE demonstration program, have been on hold since early in the pandemic, and HUD will share their plans for a return to operations.

To join the Housing Advisory Group, or to send in advance questions, please email jbilowich@leadingage.org.

Thermal Imaging to Screen for COVID-19

The question came up at a recent networking meeting about Thermal Imaging as a screening method for communities to use on a long-term basis. Other LeadingAge provider members have asked the same question, so Centers for Aging Services Technology (CAST) Executive Director Majd Alwan, Ph.D. has provided guidance to help review your options for this and other non-contact temperature checks. See the article [here](#).

LEADINGAGE OREGON

Congratulations to Capital Manor and LRS Architects

Capital Manor's new Memory Care (the lobby) is featured on the front cover of the national architectural magazine, *Environments for Aging's* summer edition. The project was designed by LRS Architects and designer Lisa Warnock is one of EFA's 2020 Design Champions. See the issue [here](#).

Silver Stars

While we have decided not to honor individuals for our LeadingAge Oregon Awards this year (during the COVID-19 pandemic we believe all staff are heroes) we will still honor your Silver Stars. Silver Stars are those employees who have worked in your community for 25 years or more. Please use [this form](#) to submit their name and a little bit about them. We'll recognize them during our Virtual Conference and get the award itself to your community so you can honor them there. The deadline for is August 14 - but we will gladly take them earlier!

Mark Your Calendar for our Virtual Conference

Remember to mark the afternoons of September 29 - October 1 on your calendar for our Virtual Conference. We are working quickly to put together a slate of speakers and breakout sessions relevant to the new reality you are living and working in. CEU's will be given, and opportunities for networking and meeting with vendors will all be part of the exciting event. We look forward to "seeing" you at the end of September.

RESOURCES & TOOLS

[Behavioral Health Webinar](#)

[Unintended Consequences of Social Isolation](#)

July 15, 2020

12:00 pm - 1:00 pm

[Register Here](#)

[Care Area Assessment \(CAA\) Review Webinar](#)

[Conducting and Documenting a Comprehensive Assessment](#)

July 23, 2020

9:00 am - 4:00 pm

[Register Here](#)

[Nursing Practice in Community-based Care](#)
[A Training for Nurses in ALF's, RCF's, and Memory Care](#)
3 Class Webinar Series - September 1-3, 2020
9:00 am - 1:00 pm
[Register Here](#)