



Michael Phillips
State Ombudsman

**MEETING MINUTES
LEGISLATIVE COMMITTEE
7/20/2021
CONFERENCE CALL**

OMBUDSMAN PROGRAM REPRESENTATIVES			
Phil Weddle, Chair	Present <input checked="" type="checkbox"/>	Marshall Kapp	Present <input checked="" type="checkbox"/>
Sharon Lauter, Co-Chair	Present <input checked="" type="checkbox"/>	Sully Sullivan	Present <input type="checkbox"/>
Irene Dion	Present <input checked="" type="checkbox"/>		Present <input type="checkbox"/>
GUEST(S)			
Michael Phillips, State Ombudsman; Lynn Hearn, Legal Advocate; Joe Considine, Admin Assistant; Lori Berndt, North Region Omb. Manager			

OPEN SESSION

- Called to order at 10:00 AM Quorum Established: Yes No
- Open Session Statement Minutes Approved: Yes No (6/28/2021)

UPDATES/DISCUSSION

1. Legislative Policy - Phil had asked Joe Considine to distribute the existing LTCOP Legislative Advocacy Policy; confirmed that the members received it. Phil reminded members that if you have the appearance of representing the program you must follow the program’s lead. If you want to speak in a private capacity, there should be no appearance that you represent the program with those views.

2. Personal Needs Allowance (PNA) – Sharon distributed materials prior to the meeting. Right now, the Medicaid waiver program is worded so that NHs have a guarantee/protected PNA but ALFs do not. The question then becomes, do ALF residents need an income-protected PNA? More information is needed to determine the answer to this question. The committee voted submit a proposal to Lynn to submit to the Regional Ombudsman Managers requesting that they solicit stories from various councils on this issue.

 Sharon also distributed Florida Health Justice Project’s Advocate’s Guide to Florida’s Long-Term Care Medicaid Waiver. She asked the committee members to review this document so that they could discuss potential education plans at the next meeting.

3. Transfer/Discharges – Phil has not yet provided to Joe/York the information desired for a data request, but still plans to do so.



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4. Rule Changes – Lynn circulated proposed revisions to the LTCOP rules needed to reconcile with the federal resolution codes. The program is using the correct codes in OMIS, but the rule needs to catch up with previously implemented practices. Although the federal codes contain a category titled “Partially or fully resolved,” we intend to continue to break out

“partially resolved” and “fully resolved” and then will combine them when reporting at the federal level.

We are looking at other changes while we open the rule, including language about sharing complaint information between agencies.

5. Proposed Federal Legislation - HR 3733, “Essential Caregivers Act” – Per Mike, this bill would allow a resident of a facility to appoint two people to visit them even during a public health emergency. These individuals would then be given access to the facility at any time. This was done because of the extremely detrimental effects that prolonged isolation caused to the elder population, particularly in LTC settings.
6. Prior meeting minutes - The minutes from the June 28, 2021 meeting were approved by the committee.
7. Next meeting date: August 17, 2021 at 11:00 a.m., via conference call and Teams.

PUBLIC COMMENTS

- None.

ADJOURNMENT

- Motion to adjourn was made, seconded and approved.
- Open Session adjourned at 11:18 AM.