



Michael Phillips  
State Ombudsman

**MEETING MINUTES  
LEGISLATIVE COMMITTEE  
6/28/2021  
VIA CONFERENCE CALL & TEAMS**

COMMITTEE MEMBERS			
Phil Weddle, Chair	Present <input checked="" type="checkbox"/>	Marshall Kapp	Present <input type="checkbox"/>
Sharon Lauter	Present <input checked="" type="checkbox"/>	Sully Sullivan	Present <input checked="" type="checkbox"/>
Irene Dion	Present <input checked="" type="checkbox"/>		
GUEST(S)			
Marie Brand, State Chair; Lynn Hearn, Legal Advocate; Joe Considine, Admin Assistant; Lori Berndt, North Region Omb. Manager; Lee Ann Griffin, ALF Core Administrator Core Trainer			

**OPEN SESSION**

- Called to order at 10:02 AM                      Quorum Established:     Yes     No
- Open Session Statement                              Minutes Approved:     Yes     No (5/25/2021)

**UPDATES/DISCUSSION**

- Phil asked that the committee elect a co-chair. Sharon was nominated; she accepted and was elected as co-chair of this committee.
- The minutes from the committee’s prior meeting were approved as corrected.
- Four topics to discuss:
  - Working to align the State and Federal case resolution codes.
  - ALF Staffing concerns.
  - Separating the Transfer/Discharge form into two separate forms.
  - Discussing concerns about the Personal Needs Allowance.
- 1. Codes – There were previously 8 resolution codes but now NORS has reduced these to three (3) on the federal level. The changes to the state codes can be accomplished through the rulemaking process; we would need to modify Rules 58L-1.0011 and 58L-1.007. Members were asked to review these rules and consult with their respective councils about any other changes they would like to see made. Lynn will draft potential language to make the necessary changes for the next meeting and incorporate the feedback from the committee members.
- 2. ALF Staffing – This is governed by Rule 59A-36.010. Phil asked whether the central office could locate a report that was produced a few years ago that probed ALFs, both staff and residents, about ALF staffing. Irene noted that this issue comes up a lot in resident complaints. Although the annual report compiles some data, it does not contain the annual number of complaints about ALF staffing. Phil will send Joe a request for the data requested on this issue, and Joe will work with York Shuler to obtain the requested information.



# FLORIDA OMBUDSMAN PROGRAM

ADVOCATING FOR QUALITY LONG-TERM CARE

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3. Transfer/Discharge Form – Phil stated that Mike Phillips had mentioned he would like to explore dividing this single form into 2 separate forms; one for transfers, and one for discharges. Lynn explained that this is an AHCA form, so we have little control but can only provide input to AHCA if they initiate a change through the rulemaking process. The committee wishes to assist by gathering information to help with this effort. After discussion, the following next steps were agreed to:
  - a. Have Data staff (York Shuler) generate a report regarding T/D cases for 2016-2019 (pre-COVID). Phil will send Joe a request for the data requested, and Joe will work with York to obtain the requested information.
  - b. Sully offered to analyze the report.
  - c. Based on Sully’s analysis, committee will find moving stories and reach out to more problem districts for their direct input.
  - d. Members were asked to speak with their DOMs to collect stories that Mike Phillips could use in discussions with AHCA. When getting information about T/D’s from DOMs, have them provide very general information together with case numbers as identification.
4. Personal Needs Allowance – Sharon stated and the committee agreed there is a large education gap among both facilities and residents about the handling of PNAs . This education gap could be partially addressed with more ombudsman training. It was posed that a potential question for residents be added to the assessment related to PNAs. Sharon agreed to start work on wording for the assessment.

- Next meeting dates (tentative): July 20, 2021 at 10:00 a.m. and August 17, 2021 at 11:00 a.m.

## **PUBLIC COMMENTS**

- Lee Ann Griffin, ALF Administrator Core Trainer – Ms. Griffin thanked the committee for allowing her to sit in and said it was informative to hear what the committee was focused on. She may be able to incorporate some of the issues discussed into her trainings going forward.

## **ADJOURNMENT**

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