



The Resident CONNECTION

2nd Quarter 2020



President's Message

At the time I am writing this letter to you, John and I are in self-isolation here at John Knox Village, Pompano Beach, Florida. South Florida is still considered a hot spot for COVID-19. I am thinking of all of you and hoping you

are safe and well, and that we will see an end to this health challenge soon.

When I last wrote to you, we were looking ahead to the ending of the legislative session with miniaml new legislation that would seriously impact residents of continuing care retirement communities. Today, we are taking a serious look at the ways this industry has taken care of itself.

In an effort to understand how our diverse administrations handled the challenge of meeting their obligations to care for their residents in the midst of this COVID-19 crisis, in mid-April, FLICRA chapter presidents were asked to respond to the following questions.

To date:

1. How many confirmed cases of COVID-19 have been reported to residents in your community?
2. How many deaths due to the virus have been reported to your community?
3. Do residents feel that the Administration has been open, prompt and informative with the residents throughout this crisis?

4. What praise or criticism are residents reporting about the functioning of their communities?

33 of our 48 FLICRA chapters have responded to the request for information about how each community has functioned to inform and protect the residents. The general response confirmed that as our Executive Director, Bennett Napier, CAE, has said, "this model is working the way it was designed to."

While some have been hard hit with the virus, the nursing home at Freedom Square in Pinellas County for example, most have been able to isolate people testing positive and have protected the rest of the community.

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In general, administrators acted quickly and decisively in asking us to practice social distancing, hand washing, staying at home when possible, limiting our outside trips to essential services, screening everyone who entered the campus, wearing face masks, and limiting the size of group gatherings. They were way ahead of our state and federal governmental bodies in urging these practices. As a result, our communities have been the safest environments in which to weather this storm. In addition, many were praised for going above and beyond to provide appealing meals, access to food sources, entertainment and stimulating educational activities, as well as physical outlets.

Some communities were so touched by the devotion of their employee staff that they created thank you events to say so.

Meanwhile, our FLiCRA organization is carrying on its normal activities; some by long distance or virtually by computer. Membership drives are continuing. Thanks to the cooperation and support of many organizations, automated dues collections make the job easier.

Unfortunately, Regional meetings have had to be curtailed.

It is time to think about elections for open Regional Director positions, as well as one At Large position on the State Board of Directors. These are important positions. The folks who hold them keep members informed and support them in action vital to residents of CCRCs such as letter-writing campaigns to our legislators.

Please consider if these are roles you would like to play and submit your information when the time comes. The Nominating Committee consists of Chair Charlotte Cummings, Westminster Oaks, Tallahassee; Dave Bayer, John Knox Village, Pompano Beach; and Bob Henderson, Glenridge on Palmer Ranch, Sarasota.

Wishing you all safety and continuing good health.

Diane Dalsimer, FLiCRA State Board President

Survey: Senior Living Residents Weigh in on Coronavirus Pandemic's Impact

The vast majority of senior living residents agree with COVID-19 social distancing and visitation restrictions, even if they find them a little annoying. At least that's what Buckner Retirement Services found when it surveyed its residents; 96% of respondents said they approved of the measures.

Buckner, No. 55 overall on the 2019 LeadingAge Ziegler 200 list of largest U.S. not-for-profit senior living organizations, surveyed 140 senior adults living in its six Texas senior living communities to learn more about how the coronavirus pandemic is affecting residents — from how they spend their time to how they stay connected with family and friends.

Residents from Buckner Villas in Austin, Parkway Place in Houston, Ventana by Buckner in Dallas, Calder Woods in Beaumont, Westminster Place in Longview and Baptist Retirement Community in San Angelo participated in the survey. The faith-based non-profit organization offers independent living, assisted living, memory care and skilled nursing.

When it comes to how they spend their free time, residents reported they are reading (74%), talking with family members by phone (63%) and napping (29%).

More than 75% listed family visits as something they miss most, followed by attending church (56%) and group dining (54%). They are staying connected to family and friends for anywhere between 15 and 30 minutes a day in a variety of ways, including through phone calls (99%), texting (57%), email (46%),

video calls (43%), social media (21%) and letters (21%).

And they are getting the hang of technology. Fifty-five percent admitted they never used video chatting technology prior to shelter-in-place orders, but 52% said they plan to continue using the technology beyond the pandemic.

Participants were not shy about listing what they consider to be inconveniences brought on by the pandemic, including visitation restrictions (73%), mask requirements (55%) and a lack of group activities (54%).

They also said they are most thankful for calls with family (69%), their health (64%) and the senior living staff members (54%) caring for them each day. Only 9% said they were thankful for toilet paper.

Like many other communities, Buckner senior living communities have had visitation restrictions in place since March 13, as well as employee screening procedures. According to Buckner's website, it has only one confirmed COVID-19 case — a third-party essential care provider — and one employee test pending at its Calder Woods property.

Kimberly Bonvissuto

Source: <https://www.mcknightsseniorliving.com/home/news/survey-senior-living-residents-weigh-in-on-coronavirus-pandemics-impact/>

2020 Annual Conference Announcement

The FLiCRA Board of Directors met May 27th and a formal decision was made by the Board to hold a virtual Annual Conference. This decision was made to err on the side of caution given the association's membership demographics. The board and staff will work this summer on the final platform to be used.

This virtual event will be open to members state-wide and include the normal activities including a budget review, election of directors and officers, membership updates, regional reports and 2021 legislative session projections.

Call for State Board Nominations

REGIONAL DIRECTORS AND ONE DIRECTOR AT LARGE SEAT ON THE STATE BOARD

The next slate of the state FLiCRA Board of Directors will be elected in the fall at the 2020 annual conference.

The association is seeking interested members to submit their names for consideration for one of the Regional Director positions or the one open at Large Director seat this election cycle.

Regional Directors will be elected by the chapters within the regions by early fall prior to the annual conference following the process outlined in the FLiCRA state bylaws.

Here are the Regions that have seats coming open:

Region 2 (covers Clay, Duval and St. Johns counties) – The current Regional Director Ramsey Geyer is completing his first term in office. Under the bylaws, he is eligible for a second term and he wishes to run for a second term.

Region 5 (covers Southern Palm Beach, Broward and Miami/Dade counties) - The Current Regional Director John Dalsimer is completing his first term in office. He is not running for a second term. This is an open seat for a Regional Director position.

Region 7 – (covers Sarasota, Manatee, Hillsborough, Pinellas, and Polk Counties) - The Current Regional Director Ray Neff is completing his first term in office. Under the bylaws, he is eligible for a second term and he wishes to run for a second term.

Director at Large Seat – There is one director at large seat open on the board. For the open at large seat, Hugh Strachan is completing his 2nd three-year term and he is not eligible for re-election. Any interested candidate (statewide) can submit their name for consideration.

The Board of Directors for FLiCRA consists of twelve members, four of which are Directors at

Large. Previous service as a local Chapter Board member is not required but may be helpful in fulfilling the duties of a state Board member.

Qualities and Duties of FLiCRA State Board Members

The members of the FLiCRA State Board of Directors are the stewards of the association and are responsible for reflecting the views and interests of all of our members. The Board also provides leadership, a shared vision and sense of mission for the association and is responsible for the fiscal health of the association.

A board member must be a current member of the association.

Proven Performance

Leadership requires knowledge, talent, skill, vitality and the ability to make a difference. In the association environment, that translates into a solid track record of contributing to the success of programs, events or projects.

Commitment

Serving as an association leader is both an honor and a reward; it requires a demonstrated commitment to the organization and its mission and goals.

Time and Ability to Serve

Participating fully in association activities requires extra time for attending meetings.

Understanding of Team Work

Many people contribute their efforts toward the realization of an association's goals and objectives – no one does it alone. Well-developed interpersonal and communication skills are essential to effective teamwork.

Sound Judgment and Integrity

In many instances, popularity brings potential leaders into the limelight of an association; popularity must be tempered with good judgment and integrity when difficult decisions are required.

Communication and “Teaching” Skills

By virtue of their position, current leaders serve as mentors and teachers to future leaders. Enthusiasm – a zest for serving the association - is an important ingredient that leaders must possess.

Ability to Subordinate Special Interests

Leaders often emerge because of their special expertise or effective representation of a specific constituency. Leadership, however, may require subordinating those interests for the greater good of the association. In essence, an effective board member brings their expertise and specific experience to the table to provide value, but such experience and expertise should not drive the policy making process for the collective good.

Be Strategic Thinkers

Intuitive and interpretive skills enable leaders to understand the people around them, internalize the data they receive, recognize the relationships that exist between the systems within their world and integrate all these elements into a coherent whole.

Effective boards of directors approach their role focusing on policy making not day-to-day operations of the organization. Micromanagement of operations is not an effective use of board time nor appropriate to fulfill fiduciary roles.

FLiCRA Board Service Time Requirements

Each term on the board is a three-year term, and a board member can serve up to two consecutive three year terms in a director position. Officers are one-year terms.

Service on the FLiCRA board requires attendance at up to three in-person meetings a year (February – ½ day meeting in person, May – Teleconference or in person, November ½ day in conjunction with the annual conference in person).

The FLiCRA state board may also meet by teleconference 2-3 additional times a year if necessary.

FLiCRA board members are reimbursed for travel under the following policy: Board members may be

reimbursed for mileage, lodging and meal expenses for attending FLiCRA meetings.

Specific Duties for Regional Directors

1. The Regional Director shall work with the President and the Executive Director as follows:

- a. To develop an annual Chapter leaders training program for local Chapter Officers and Directors.
- b. To communicate information to other Chapter officers within the Region.
- c. To gather information from local Chapters within the Region in order to pass it on to state FLiCRA leaders.
- d. To identify appropriate sites within the Region for state/regional Board of Directors meetings.
- e. To identify and recruit residents of non-member/ chapter CCRCs in the region.
- f. To develop contacts with administrators of non-member/chapter CCRCs.
- g. Coordinate FLiCRA members from the Region to testify at County Legislative Delegation Meetings

2. In addition:

- a. Identify potential prospects for future state Directors.
- b. Become the main link between the local Chapters and the state organization.
- c. Collect news about Chapter events within the Region.
- d. Encourage all Chapter officers to share ideas and news of FLiCRA activities.

3. The Executive Director and/or staff will assist Regional Directors with:

- a. Securing speakers for regional meetings.
- b. Secure and finalize contract agreements with regional facilities for meetings and/or sleeping arrangements.

To assist in developing a slate of candidates, all members who are willing to serve for nomination to the state FLiCRA Board of Directors should submit their names, address, phone numbers and a brief career bio by July 24th to: FLiCRA Nominations Committee Chair 325 John Knox Road, L103 Tallahassee, FL 32303 or by email to bennett@executiveoffice.org.

FLiCRA Board Position on Long-Term Care Immunity

According to data from the State of Florida, at least sixteen of the state's continuing care retirement communities have seen COVID-19 cases for either residents and/or staff. In several of the CCRC's, positive cases for residents were seen in both the assisted living and skilled nursing portions of the community.

The FLiCRA Board of Directors has formally discussed the issue of long-term care provider immunity. That issue has been covered heavily in the news both in Florida and nationally. FLiCRA is sharing the formal position taken by the association and the letter that was submitted to the Governor of Florida.

Dear Governor DeSantis,

I write to you today as President of the 14,000 member, Florida Life Care Residents Association (FLiCRA). The members of our organization are senior citizens who reside in the state's licensed continuing care retirement communities (CCRC).

FLiCRA has always been keenly engaged in public policy matters related to long-term care. Three of our members serve on the Governor's Continuing Care Advisory Council and one of our members serves on the Governor's Panel on Excellence in Long-Term Care.

The communities where our members live provide independent living, assisted living and skilled nursing care. We have members that live in all three care settings within Florida CCRCs. In many cases, one may live in independent living and their spouse may live in the assisted living or skilled nursing portion of their community.

FLiCRA supports and has great empathy for the front line staff who deliver daily care to some of Florida's most vulnerable residents in the midst of a harrowing situation. FLiCRA believes that most management operators are and have acted in good faith as it relates to delivering frequent and open

communication to residents, caregivers, and family members. There is no dispute that providers are coping with a daunting environment that includes ever-changing guidance from state and federal agencies.

There have been requests by some in the long-term care community to bestow immunity to long-term care facilities including nursing homes based on COVID-19. There is a delicate balance of resident rights and protection of long-term care providers, the majority of which deliver high levels of care.

Nonetheless, FLiCRA respectfully asks you as Governor to maintain the current statutory provisions related to nursing home litigation. Granting blanket immunity to long-term care providers in the midst of an ongoing crisis, would not be a prudent decision. No changes to current cause of action provisions should be adopted until there is adequate time for policy makers to assess the full extent of information related to COVID-19's impact on Florida's long-term care providers and the residents they serve.

Respectfully,

Diane Dalsimer, President, FLiCRA Resident,
John Knox Village, Pompano Beach, Florida

MEDIA LINKS

Link to coverage of FLiCRA's position:

<https://floridapolitics.com/archives/332495-long-term-care-resident-group-asks-gov-desantis-to-deny-blanket-immunity-for-providers>

Link to Governor's Press Conference Video on Long-Term Care Facilities (May 13, 2020)

<https://www.pbs.org/newshour/nation/watch-live-florida-governor-gives-a-coronavirus-update>

CMS MFAR Nursing Home Provider Bed Tax Proposal

This is a general update to the CMS MFAR proposal that many FLiCRA members engaged with earlier this year in terms of a grassroots campaign. The MFAR proposed rule if adopted would likely result in the Florida Legislature having to repeal the current nursing home provider bed tax exemption that is currently in place for Florida's licensed nursing home beds that are part of a continuing care retirement community.

The Medicaid Fiscal Accountability Rule (MFAR), released last November by the Centers for Medicare & Medicaid Services (CMS), would reduce the amount of money that CMS gives to states as part of their Medicaid matching funds when the money is generated through various supplemental means.

As the COVID-19 pandemic advanced on the U.S., healthcare groups were encouraged that several of the stimulus bills passed by Congress addressed states' healthcare funding needs. For example, the Families First Coronavirus Response Act, which President Trump signed into law on March 18, provided enhanced Medicaid matching funds to states to help them through the pandemic. But if there is less state money on the table because the federal government has disallowed some of these financing mechanisms, "you draw down less federal dollars, including the enhanced matching rate that Family First provides," said Park.

"If you add on the COVID-19 crisis, as revenues fall and program costs rise, states are going to be cash-strapped," he continued. That will mean Medicaid cuts, "and one of the obvious places states would go would be provider rates, as was done in previous economic downturns."

During the debate over the most recent stimulus bill, Democratic legislators presented alternative legislation that included a provision that would delay the implementation of MFAR, but it didn't get included in the final bill.

The only possible good news on the MFAR front, according to Matt Salo, executive director of the

National Association of Medicaid Directors, "is that CMS is telling us that all non-COVID-19 work is on the back burner. That's good, but what does that really mean? Back burner until 6 weeks from now? Eighteen months from now? We of course don't know."

"There are assurances that when they do get back around to MFAR, two things will have happened - a lot of people commented in opposition to the proposed rule, and it sounds like they're going to take those comments into consideration, which is good."

In an ideal world, Congress would rescind MFAR entirely, the rule's critics say, but that hasn't happened yet.

On January 30, 2020, a number of U.S. Representatives including a number of the Florida House Delegation submitted a formal letter to CMS Administrator Seema Verma to withdraw the MFAR proposed rule altogether.

Source: <https://www.medpagetoday.com/publichealthpolicy/medicaid/85798>

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HHS Gives \$4.9B to Skilled Nursing Facilities Impacted by COVID-19

Skilled nursing facilities are getting billions of dollars in grants from the federal government to offset growing expenses and lost revenue attributable to COVID-19.

The U.S. Department of Health and Human Services announced on May 22 the distribution of \$4.9 billion in additional coronavirus relief funds to skilled nursing facilities, which have been called ground zero for the COVID-19 pandemic because of how rapidly the novel coronavirus has spread in nursing homes.

HHS reported in the announcement that the pandemic has put the viability of skilled nursing facilities at risk. Since the beginning of 2020, the organizations have experienced up to a six percent decline in their patient population as current and potential residents opt for other care settings or succumb to the coronavirus.

Skilled nursing facilities with six or more certified beds will receive a fixed distribution of \$50,000, plus

another \$2,500 per bed, HHS reported. However, the distribution will only be a short-term fix for long-term care during the pandemic, skilled nursing facilities said.

Assisted living communities have yet to receive direct aid despite serving one of the most vulnerable patient populations.

Several members of Congress have also urged the Trump Administration to better support skilled nursing facilities during the pandemic. A group of 87 representatives asked HHS and CMS that a portion of the emergency funding appropriated by Congress as part of the Paycheck Protection Program and Health Care Enhancement Act be allocated to states “specifically for the development, purchase, administration, or provision of COVID-19 diagnostic tests for long-term care facilities.”

Source: <https://revcycleintelligence.com/news/hhs-gives-4.9b-to-skilled-nursing-facilities-impacted-by-covid-19>