



NDLTCA Newsletter

October 15, 2024

All Members - *All Members*

Assisted Living - *AL*

Basic Care - *BC*

Nursing Facilities - *NF*

NDLTCA Update



**THE
BEST TRAINING
MAKES THE
BEST CNAS**

Flexible and convenient **online coursework**
paired with **in-person clinical skills training**



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Hybrid CNA Training at Your Facility

All Members

CNAonline.com has developed a HYBRID nurse assistant training program based on the AHCA "How to be a Nurse Assistant" Curriculum to help address the workforce challenges and frontline staff shortages. The curriculum meets all federal guidelines, [review the federal crosswalk](#), and is adapted for ND state-specific requirements. The curriculum produces highly trained CNAs who elevate the quality of resident care for residents in long term care. If you already have a program in place, you can use this program in addition to that program as well. NDLTCA members receive a discount. **Attend the informational webinar tomorrow, October 16 at 11:30 a.m. CST. Join webinar.** Registration not required.

September Meetings and Fall Conference Update

All Members

At the recent board and membership meetings, the 2025 budget was approved, reflecting a negative bottom line due to legislative year expenses. However, the association is well-prepared with reserves in place and rising sponsorships have bolstered financial stability. The board approved a 4% increase in dues to help maintain momentum, and the addition of a new Vice President of Government Affairs promises stronger advocacy efforts moving forward.

Exciting changes to the by-laws were passed, including the formation of a new Workforce Committee, which will focus on addressing workforce challenges in long term care. Additionally, we proudly awarded four \$1,000 Allan B. Engen Nurse scholarships to deserving student nurses, reflecting our ongoing commitment to building the future workforce.

On the legislative front, the members provided support for Senator Davison's bill to establish minimum standards for contract nursing agencies. There was also a successful push to adjust administrative code requirements for activities professionals, reducing mandatory training hours from 180 to 90, making it more feasible for professionals to efficiently meet state requirements.

The Fall Conference was a tremendous success with 367 attendees engaging in a wide range of educational sessions, and NDLTCA-PAC members showed their dedication with enthusiastic participation throughout the One Piano, Too Much Fun event.



Coalition News

All Members

Overwhelming Support for Keep It Local

Keep It Local has submitted its finance report and the overwhelming support the coalition has received to actively oppose Measure 4, indicates the risks associated with the measure along with the strength of the coalition's membership and North Dakota communities. Thank you to all of the coalition's members and other organizations who have contributed to the efforts to advocate a 'Vote No' on Measure 4 and to educate on the potential consequences of the measure. Keep It Local remains committed to ensuring that the voices of North Dakota communities are heard.

Membership Update

As of Oct. 8, the coalition has grown to 112 members. Access the full member list on the [Keep It Local website](#).

Regulatory

IMPORTANT - New Resources and Relief on Provider Enrollment Off-Cycle Revalidation

NF

Reminder from last newsletter- CMS recently issued an announcement in the [MLN Connects newsletter](#) that **all skilled nursing facility providers will receive off-cycle provider enrollment revalidation notices from their Medicare Administrative Contractor (MAC) to collect additional data on ownership, managerial, and related party information not**

previously required. This information is to be submitted in a new Appendix on the [Form CMS-855A](#) (09/24) version.

Make sure to get your info in within the 90 days or show a good faith effort or your payments may be at risk. Consider participating in [What you need to know webinar](#) and utilize tools coming from AHCA. We also received additional information from the CMS regarding the mandatory off-cycle revalidation process for NFs that offer all providers some additional support and relief with the reporting requirements.

Here's a brief summary of the updates from CMS:

1. CMS has scheduled an [Open Door Forum for Thursday, October 17](#) where it will discuss expanded ownership disclosures.
2. The agency released updated guidance on Friday, October 11 with an email address so providers can ask questions directly (SNFDisclosures@cms.hhs.gov).
3. Earlier this week, CMS also updated sub-regulatory guidance so that fewer people have to report personal identifiable information, such as social security numbers and dates of birth.

[Read here](#) for more information on each of these new developments.

MDS Hyperlink Update Supplement

NF

The Centers for Medicare and Medicaid Services has released a new document titled the [Minimum Data Set \(MDS\) 3.0 Resident Assessment Instrument \(RAI\) User's Manual](#) version (v) 1.19.1R Hyperlink Update Supplement. It is now available in the **Downloads** section on their **Minimum Data Set (MDS) 3.0 Resident Assessment Instrument (RAI) Manual** page.

Due to external webpage changes, existing hyperlinks within the RAI Manual may occasionally redirect, become unreachable, or the information on the webpage may change. This document serves as a supplementary list of links in the **MDS 3.0 RAI User's Manual** version (v) 1.19.1 that require updates as identified throughout the lifetime of the document.

Replacement pages for each affected section of the **MDS 3.0 RAI User's Manual** v1.19.1 can be found following the list.

For questions regarding this document, please email regulatory@ahca.org.

AHCA Answers NDLTCA Members Questions Regarding Enhanced Barrier Precautions

NF

Find the updated document [here](#) that addresses NDLTCA member questions.

In the News

Volume of ND bill draft requests up significantly ahead of 2025 session

All Members

INFORUM - North Dakota lawmakers have already requested 422 bills and resolutions to be drafted for the 2025 legislative session, double the number requested at this time two years ago, Legislative Council staff say. "We're double the pace, but we haven't even hit the heavy drafting periods," Bjornson told members of the Legislative Procedure and Arrangements Committee earlier this month. The average number of bill drafts requested per legislator has trended up in the last decade, with about 10 bill drafts per lawmaker in 2023 compared to seven in 2013, a Legislative Council analysis shows. Nine lawmakers requested 21 or more bill drafts in 2023.

[Read more...](#)

'Marginal Impact' to Nursing Home Care Seen as Kamala Harris Proposes Medicare Coverage for In-Home Long-Term Care

All Members

SKILLED NURSING NEWS - Vice President Kamala Harris shared a new proposal on Tuesday to require Medicare to cover the costs associated with in-home long-term care, potentially allowing seniors and individuals with disabilities to receive care in their homes rather than in skilled nursing facilities. [Read More...](#)

North Dakota joins 20-state coalition suing to stop nursing home rule change

NF

We appreciate that ND Attorney General Drew Wrigley and many other attorneys general are similarly concerned about CMS' overreach in issuing this staffing mandate. We are grateful that they're fighting on behalf of our residents, staff, and providers here in ND and across the country. Their legal arguments are compelling and together, we will win. AHCA/NCAL and our state affiliates believe we have a strong case with LeadingAge and others in the Northern District of Texas, and that's where our energy is focused right now. There's also strong bipartisan opposition on Capitol Hill, and we continue to urge lawmakers to block the staffing mandate and protect access to care.

[Governor Burgum's Weekly Newsletter 10-13-2024](#)

Quality

Nursing Facility Guidance: Requirements for Using Psychotropic Medications

NF

[F758 of the CMS State Operations Manual \(SOM\) Appendix PP](#) offers guidance to surveyors for long-term care (LTC) facilities on the use of psychotropic medications. It includes a broader definition of psychotropics and provides additional guidance on other medications used for psychotropic purposes.

The guidance specifying the requirements for psychotropic medication use applies to antipsychotics, antidepressants, anti-anxiety, and hypnotic medications, without exception. It further clarifies that any medication affecting brain activity is subject to these requirements if it appears to be given in place of another psychotropic medication (such as antihistamines, anti-

cholinergic medications, and central nervous system agents). Surveyors are directed to screen for medications prescribed for an inadequate indication to determine if they were used to sedate or restrict movement or cognition.

According to the SOM, if antipsychotic medications are prescribed, documentation must clearly show the indication for the antipsychotic medication, the multiple attempts to implement care planned, non-pharmacological approaches, and ongoing evaluation of the effectiveness of these interventions. It is important to keep in mind that diagnoses alone do not necessarily warrant the use of an antipsychotic medication.

Antipsychotic medications may be indicated if:

- Behavioral symptoms present a danger to the resident or others.
- Expressions or indications of distress are of significant distress to the resident.
- Multiple non-pharmacological approaches have been attempted (if not clinically contraindicated) but did not relieve the symptoms that are presenting a danger or significant distress.
- Gradual dose reduction (GDR) was attempted, but clinical symptoms returned.

The requirements underlying this guidance emphasize the importance of seeking an appropriate dose and duration for each medication and minimizing the risk of adverse consequences. The purpose of GDR is to find an optimal dose or to determine whether continued use of the medication is benefiting the resident. Tapering may be indicated when the resident's clinical condition has improved or stabilized, the underlying causes of the original target symptoms have resolved, and/or non-pharmacological approaches have been effective in reducing the symptoms.

What you can do TODAY to help maintain compliance with antipsychotic medications:

- Establish a schedule to review all residents who are taking antipsychotic medication.

- Prioritize residents who show signs and symptoms of side effects or have PRN (as needed) orders for medication review, discontinuation, or schedule routinely.
- Share the review findings with the interdisciplinary team to prioritize medication reviews and determine the next steps for residents with negative responses.

Keep track of and report any trends, such as the number of PRN orders, to the facility's Quality Assurance and Performance Improvement (QAPI) committee.

Resources:

- [Trigger Tool Prioritizing Residents for Antipsychotic Medication Dose Reduction/Discontinuation](#)
- [Antipsychotic Admission and Quarterly Review Worksheet](#)

Reference: [SOM - Appendix PP \(cms.gov\)](#)

The Center of Excellence-NF stands ready to support your facility in these guidance areas. Contact us today:

[Click HERE to request assistance](#)

The Long-Term Care **Equality** Index 2025

All Members

[SAGE](#) and [The HRC Foundation](#) invite senior housing communities to participate in [the Long-Term Care Equality Index \(LEI\)](#). The LEI is a national benchmarking survey for senior housing providers to assess, grow, and show their LGBTQ+ inclusion efforts. With the survey opening in

the Summer 2024, communities that complete the survey will appear in the national LEI 2025 Report and in an online searchable database. Communities with LGBTQ+-inclusive resident, employment, and visitation policies can achieve one of three tiers of recognition. Interested senior housing operators can learn more at www.TheLEI.org and [sign the commitment to caring pledge to participate.](#)

Make LGBTQ Elders Feel Welcome and Cared For: Join HRC and SAGE's Long-term Care Equality Index (2:18) <https://youtu.be/BoNkykbPsRo?feature=shared>

Workforce

Post a Job on Our Website

All Members

[North Dakota Long Term Care Association | Career Opportunities \(ndltca.org\)](http://ndltca.org)

If you would like to post a job opening for your facility, please contact Stacy Irey at 701.222.0660 or email stacy@ndltca.org



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Contact us at 701-222-0660 or email Nikki at nikki@ndltca.org or Peggy at peggy@ndltca.org.