



North Dakota Long Term Care Association  
Special Membership Meeting  
Wednesday, May 15, 2024  
10:00am – 11:00am  
Teams - Virtual

**1. CALL TO ORDER**

Chair, Amy Kreidt, called the meeting of the North Dakota Long Term Care Association special membership meeting to order at 10:09am.

**2. ROLL CALL**

Roll call was taken and Carol Ternes, North Dakota Long Term Care Association Executive Assistant, announced that there was a quorum.

The purpose of the special meeting is to finalize a proposal regarding the upper payment limit to HHS.

Nikki reviewed the issues with members and presented the 4 proposals. Members were provided a Survey Monkey link and asked to vote on the following:

1. Members oppose an equal across the board per resident per day cut to resolve the UPL issue. The rate reductions should be taken from SNFs who are receiving fair rental value and quality incentive payments as those facility revenues represent profit which is the cause of the UPL issue. Across the board cuts on a per resident per day basis should only happen when all revenues from NFIP and FRV have been reduced to zero.
2. Rate reductions should be allocated on the basis on which they were appropriated, following the intent of each program's creation by the ND Legislature, HHS, and the NDLTCA. Both the NFIP and FRV programs have great value to members. In 2025, there will be \$8 million in NFIP payments and an estimated \$20.4 million in the FRV program. This creates an approximate 72% FRV and 28% NFIP split, ensuring that rate reductions are prioritized by the proportion of funding appropriated. If the estimated \$15.9 million needs to be reduced from these programs, it would leave \$12.5 million to distribute. Approximately \$9 million would go to FRV and \$3.5 million would remain in NFIP payments.
3. Within FRV payments, they will be reduced by lowering the maximum per resident per day benefit above expenses (profit) until the required amount of funding is reduced from the program. In the 2025 projection, approximately \$9 million could be distributed in the

FRV system with an estimated limit of \$6.50 per resident per day. If any facility's FRV benefit is less than \$6.50, they would receive the indicated benefit (ex. \$5.50 per resident day). For the facilities that are grandfathered in on the cost system, they are not included in the reductions as they are receiving no benefit.

4. Within NFIP rate reductions, the first amount to be reduced is the additional distributions to Tiers 1 and 2 on the proportion they were additionally distributed. Reductions from that point would occur on a per resident per day basis while following the original proportion of 100% for Tier 1, 85% for Tier 2, 60% for Tier 3, and no payments to Tier 4 facilities.

After all members voted the results indicated the majority of votes were yes to all four proposals.

**MOTION: TIM KENNEDY/ROBERT SHECKLER MOVED AND SECONDED TO PRESENT THE FOUR PROPOSALS TO HHS.  
MOTION CARRIED.**

Chair Amy Kreidt adjourned the meeting at 10:37am.

Respectfully submitted,

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Richard Regner, Secretary/Treasurer