
DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION
Eagle's Law Staffing Ratio Waiver Subcommittee

In-person & Virtual Meeting

Cisco Webex

Anchor Location: The Vero @ Newark

924 Barksdale Rd Newark, DE 19711

Meeting of March 26, 2024 @ 10:00 am

FINAL

Subcommittee members present: Norma Jones, Cheryl Heiks, Mary Peterson, RN and Dr. Melissa Winters, PsyD. Subcommittee members attended virtually. A quorum of subcommittee members was present.

Subcommittee members not in attendance: Kori Bingaman, RN, NHA

Others Present: Margaret Bailey, DNHRQAC Executive Director (in-person); Lisa Furber, DNHRQAC Chair; Rob Smith, Division of Health Care Quality (DHCQ); Maggie Goonan, Public; Kevin Andrews, Public and RuthAnn Lander, Public.

1. Call to order

This meeting was called to order at 10:05 am.

2. Approval of minutes

The subcommittee meeting minutes draft of March 14, 2024 were approved as written.

3. Discussion of:

Form Edits

Subcommittee members suggested edits to the Eagle's Law Staffing Ratio Waiver Form during 3/14/2024 subcommittee meeting which included: adding DE Code link & DNHRQAC authority; adding page numbers, removing "contact" names and replacing with job title; and adding DNHRQAC & DHCQ applicable email addresses.

Ms. Peterson had offered to make the suggested changes discussed during last meeting and send revised form to subcommittee members in advance of this meeting. After review of the changes, all subcommittee members agreed to the revisions and added one more form edit: date change from 3/3024 to 3/2024. The subcommittee did not make any substantive changes to waiver form as it was already approved by full Commission during DNHRQAC Meeting of March 19, 2024.

A motion was made to move forward on the waiver form as is. As a result, subcommittee members were polled & unanimously agreed. Other DNHRQAC members & DHCQ representative in attendance voted "yes", too.

Form Questions

It was suggested that Frequently Asked Questions (FAQ) might be more suitable on the waiver form instead of calling it Questions & Answers (Q & A). All subcommittee members agreed.

There was discussion about balancing the need for information by keeping the waiver form manageable and not overly burdensome for facilities to complete. Subcommittee members discussed the need for clarity in the

instructions and suggested adding contact information to the instructions section of form. Also discussed was the importance for considering staffing for different shifts and specialty units in facilities.

Waiver Tracking & Data

Subcommittee members discussed what mechanism they would like to use to track staffing waivers. The group agreed something like an Excel Spreadsheet could be used for this project. Ms. Furber stated commission members might want to consider having a database in the future to track all kinds of data.

Pilot Testing

Subcommittee members discussed viable testing options to be able to receive feedback from nursing homes before the waiver goes into effect 7/1/2024. There was a suggestion to pilot launch the form and gather feedback from facilities before full implementing the waiver.

Action Item: Ms. Furber will contact DHCFA and LeadingAge to assist with locating a small sample size of facility volunteers willing to participate in a dry run/test.

Discussion ensued regarding sample size: 2 -3 facilities, perhaps one in each county; maybe specialty services, non-profit vs for-profit vs State operated; perhaps include facilities with different level of difficulties or staffing struggles.

Education & Training Materials

Subcommittee members agreed that education should be held the end of May and through June as the waiver will be effective 7/1/2024.

Subcommittee members agreed that training materials should be created and posted on various webpages so staff can access the materials at their convenience. Ms. Peterson offered to begin working on PowerPoint Presentation draft and will share with subcommittee members. **Action Item:** Ms. Peterson to forward presentation draft to subcommittee members.

Add to DHCQ webpage, DHCQ to send email blasts to Delaware nursing home contacts and DHCQ to include waiver training in Director of Nursing mandatory training. **Action Item:** Ms. Bailey will reach out to DHSS/DHCQ.

Add staffing waiver information to DNHRQAC webpage. **Action Item:** Ms. Bailey will check with Judicial Information Center (JIC) about whether information can be posted on DNHRQAC's webpage.

Add to DHCFA webpage. **Action Item:** Ms. Heiks offered to add information related to waiver to DHCFA's webpage. **Action Item:** Ms. Heiks to add to associations webpage.

Add to LeadingAge Delaware/New Jersey webpage. **Action Item:** Ms. Bailey will check with Jim McCracken to see if they will post on their webpage.

Add waiver information to DHSS social media accounts. **Action Item:** Ms. Bailey will contact DHSS Communications Director.

Subcommittee Internal Policy & Procedures

Ms. Furber suggested members might want to consider creating internal policy and procedures.

4. Public Comment

Kevin Andrews provided public comment. He asked the subcommittee members if they have considered the possibility of Federal minimum staffing ratios in nursing homes that has been discussed in the Means and Way Committee. Additionally, he stressed the importance of transparency and notification, should a facility not be able to meet staffing mandates or operating under substandard staffing levels.

5. Next Meeting

The next DNHRQAC Eagle's Law Staffing Ratio Waiver Subcommittee will be held on April 3, 2024 @ 1:00 pm. An additional meeting was also scheduled: April 18, 2024 @ 9:30 am.

In-person and virtual attendance options will be available for both subcommittee meetings. The meeting information will also be posted on the Delaware Public Meeting Calendar.

6. Adjournment

The meeting was adjourned at 11:53 am.

Attachments: 3/26/2024 Eagle's Law Staffing Ratio Waiver Subcommittee Meeting agenda
3/14/2024 Eagle's Law Staffing Ratio Waiver Subcommittee Meeting minutes draft
Waiver – minor edits as approved during last subcommittee meeting