
DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION
(DNHRQAC)

Eagle's Law Staffing Ratio Waiver Subcommittee

In-person & Virtual Meeting

Cisco Webex

Anchor Location: Delaware Hospital for
the Chronically Ill

100 Sunnyside Rd Smyrna, DE 19977

Meeting of May 23, 2024 @ 1:00 pm

FINAL

Subcommittee members present: Norma Jones; Cheryl Heiks; Mary Peterson, RN; Dr. Melissa Winters, PsyD (in-person) and Kori Bingaman, RN, NHA. Subcommittee members attended virtually, except for Dr. Melissa Winters, PsyD, who hosted the anchor location. A quorum of subcommittee members was present.

Subcommittee members not in attendance: N/A

Others Present: Margaret Bailey, DNHRQAC Executive Director; Rob Smith, Division of Health Care Quality (DHCQ); Lisa Furber, DNHRQAC Chair and Kevin Andrews, Public Member.

1. Call to order

This meeting was called to order at 1:05 pm.

2. Approval of minutes

Meeting minutes draft of May 10, 2024 was approved as written.

3. Discussion of:

Eagle's Law Staffing Ratio Waiver Awareness/Training - Updates

Department of Health and Social Services (DHSS) received Eagle's Law Staffing Ratio Waiver PowerPoint Presentation (PPP) and fillable waiver application. DHSS has offered to share materials on their webpage and social media outlets. Ms. Bailey will contact Judicial Information Center (JIC) about including the materials on DNHRQAC webpage, too.

Ms. Furber made a minor edit to the training video and will forward to subcommittee members.

Three educational opportunities were discussed in further details:

1. Subcommittee members were invited to attend the Director of Nursing (DON) Workshop on June 4, 2024 @ Edgehill (Dover). This training will be held in-person only as no virtual attendance component will be available.

Action Items:

Ms. Peterson and Ms. Furber will provide training on June 4, 2024.

Ms. Bailey will forward PPP to DHCQ trainer.

2. Subcommittee members were invited to attend a Division of Health Care Quality (DHCQ) call with Delaware Skilled Nursing Facilities (SNFs) on June 5, 2024 (time to be confirmed). DHCQ also offered to send an email blast to SNF providers regarding the waiver application effective July 1, 2024 & list of training opportunities and notice about the blanket waiver suspending staffing ratios per shift being lifted July 1, 2024.

Action Items:

DHCQ will send email blast to SNF providers with training opportunities and virtual meeting link.
Ms. Furber and Ms. Peterson will provide training on June 5, 2024.

3. Ms. Heiks, Delaware Health Care Facilities Association (DHCFA), offered to invite subcommittee members to the Associations June 17, 2024 @ 3:00 pm call, to provide education regarding the staffing ratio waiver. Ms. Heiks will invite LeadingAge, another organization that represents the long-term care industry in Delaware, to this meeting, too.

Action Items:

Ms. Heiks will forward a virtual meeting invitation to subcommittee members & LeadingAge.
Ms. Peterson and Ms. Furber will provide training on June 17, 2024.

Staffing Ratio Waiver Pilot/Test

Ms. Furber contacted 2 SNFs that volunteered to participate in a waiver test/pilot. Ms. Furber also contacted 4 other facilities throughout the State to see if they would like to volunteer to participate since they meet the previously established sampling criteria: non-profit vs for profit, specialty unit, facility located in each county. The deadline for facilities to provide feedback was May 17, 2024. Ms. Furber did not receive feedback from any of the facilities. Ms. Heiks offered to contact the facilities for their feedback. Dr. Winters offered to reach out to DHCI to see if they would be willing to participate in the waiver pilot/test, too.

Action Items:

Ms. Heiks will contact test/pilot facilities for feedback.
Dr. Winters will contact DHCI to see if they would like to participate in test/pilot.

DNHRQAC Staffing Ratio Waiver Application Review Subgroup

Subcommittee members discussed components of the staffing ratio waiver subgroup including optimal size, any potential conflict or facility affiliation, consistency of decision making and timely turn-around.

It was suggested the waiver application review subgroup should be comprised of no more than 5 commission members and not include any legislative commission member or any commission member with a potential conflict/affiliation with a facility. It was suggested that perhaps a 6th person should serve as an alternate on the subgroup.

The group agreed a DHCQ staff member and Ms. Bailey should hold a seat on the waiver review subgroup - in an advisory capacity only.

Action Items:

Ms. Furber will reach out to DNHRQAC members to see if anyone would like to volunteer to serve on the waiver review subgroup. Once the review subgroup has been determined, a recommendation will be made to the full Commission & brought forward for a formal vote.

Ms. Furber will meet with Patrick Smith, Esquire, Deputy Attorney General (DAG) for DNHRQAC with a list of questions from subcommittee members. Subcommittee members were asked to forward questions to Ms. Furber.

4. Public Comment

5. Next Meeting

The next DNHRQAC Eagle's Law Staffing Ratio Waiver Subcommittee will be held on Friday June 7, 2024 @ 1:00 pm. In-person and virtual attendance options will be available. Meeting information will be posted on the Delaware Public Meeting Calendar.

6. Adjournment

The meeting was adjourned at 2:42 pm.

Attachments: 5/23/2024 Eagle's Law Staffing Ratio Waiver Subcommittee Meeting agenda
5/10/2024 Eagle's Law Staffing Ratio Waiver Subcommittee Meeting minutes draft