

**COMMITTEE MEETING EXPANDED AGENDA**

**SELECT COMMITTEE ON PANDEMIC PREPAREDNESS  
AND RESPONSE**

**Senator Burgess, Chair  
Senator Bracy, Vice Chair**

**MEETING DATE:** Thursday, February 4, 2021  
**TIME:** 11:30 a.m.—1:30 p.m.  
**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Burgess, Chair; Senator Bracy, Vice Chair; Senators Ausley, Book, Bradley, Brandes, Brodeur, Harrell, Perry, and Pizzo

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
1	Presentation by the Agency for Health Care Administration		Presented
2	Presentation by the Florida Health Care Association		Presented
Other Related Meeting Documents			

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# Senate Select Committee on Pandemic Preparedness and Response

Agency for Health Care Administration

Acting Secretary Shevaun Harris



Better Health Care for All Floridians  
[AHCA.MyFlorida.com](http://AHCA.MyFlorida.com)

# Key Priorities



1. Ensuring  
Access to Care



2. Rapid Response  
as COVID Cases  
Increased



3. Ensuring  
Access to Up-to  
Date Information










4. Florida's  
Vaccination  
Efforts





6 Emergency Orders

15 Emergency Rules

-  Declaration of a National Emergency - Allocation of Resources
-  Personal Protective Equipment (PPE) and Infection Control Flexibilities
  -  •CDC Guidance on Infection Control for Health Care Providers
  -  •Certification Mandates for Visitation and Infection Control
  -  •Federal Reporting for Hospitals, Skilled Nursing, and Laboratories
-  Blanket Waivers for Health Care Providers
-  Delivery System and Provider Payment Guidance





## Federal Blanket Waivers

Series of flexibilities activated during emergencies



### Nursing Facilities

- Waiver of 3-day prior hospitalization for Medicare reimbursement
- Waiver of Pre-Admission Screening and Annual Resident review (PASRR)
- Flexibility in room utilization to accommodate surge



### Hospitals

- Alternate care sites
- Acute Care at Home/  
Hospitals Without walls

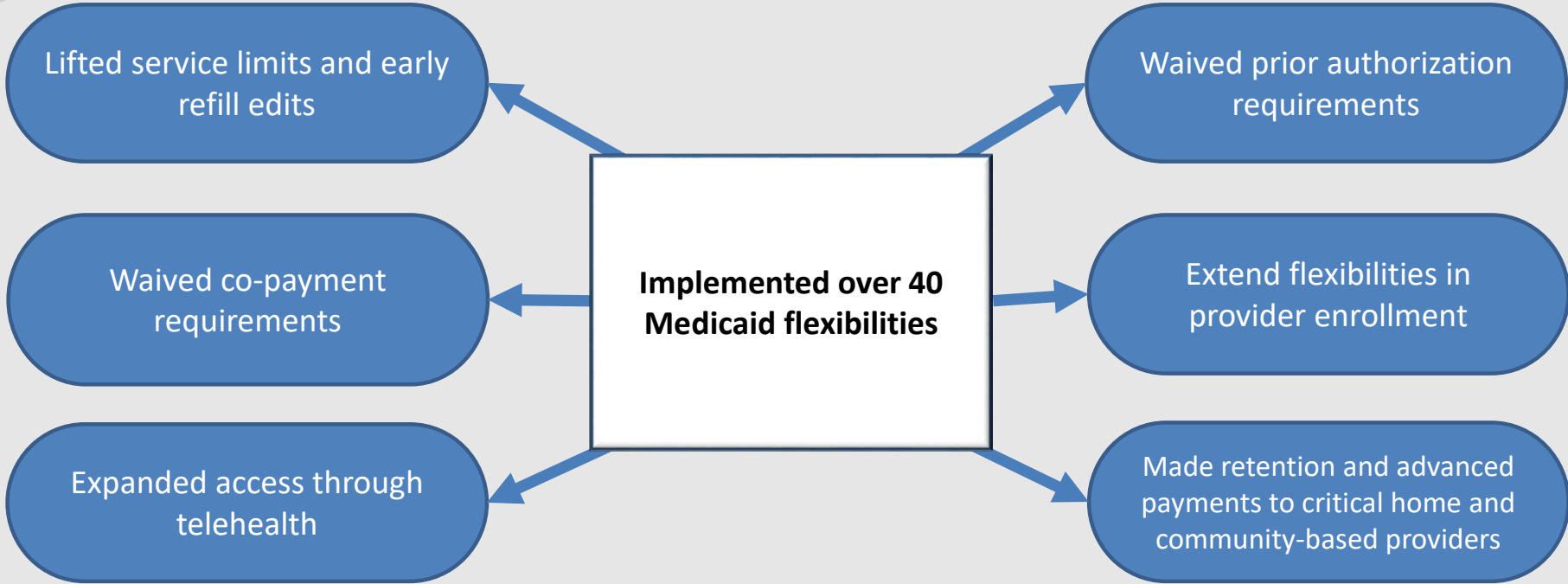


### All Providers

- Waiver of certain physical environment requirements
- Waiver of prescriptive requirements for alcohol-based hand-rub dispensers



# Ensured Medicaid recipient access to needed health care services





•Initial visitor and staff screening toolkit

Enhanced infection and prevention control oversight

Limiting entry of non-essential personnel in LTC facilities

Hospital screening requirements for long-term care residents

Mandatory testing for LTC facility staff

Governor DeSantis' Task Force on the Safe and Limited Re-Opening of Long-Term Care Facilities





## Established dedicated COVID-19 isolation nursing facilities

Developed innovative model of COVID-19 isolation nursing facilities, dedicated to serving patients in need of long-term care services who were also diagnosed with COVID-19.

•Allowed for appropriate isolation and recovery of COVID-19 positive patients

•First group of facilities established in April 2020 – approximately 200 beds available

•Regional resources for any COVID-19 positive patient requiring nursing facility level of care

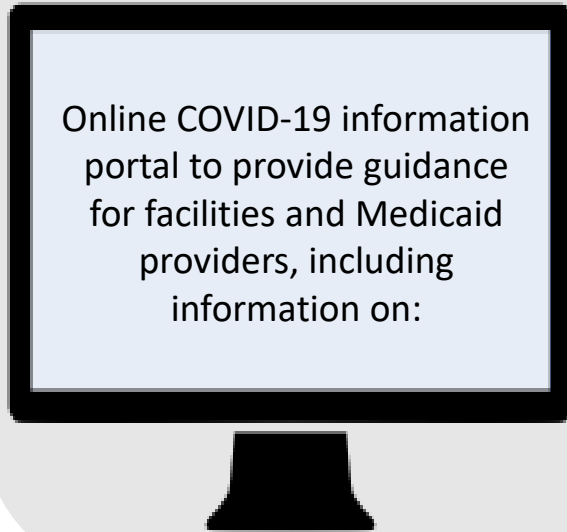
•Required to accept patients with any type of insurance and patients who were uninsured

By July, the Agency had executed agreements with 23 facilities statewide with the capacity to serve up to 1,500 patients needing COVID-19 isolation.





## Enhanced outbound communications/ information to providers through AHCA website



Federal provider relief funding

Medicaid flexibilities

CMS Waivers and CDC guidelines

COVID-19 reporting requirements for facilities

Emergency Orders and Rules issued by the State related to COVID-19



## Align Medicaid program policy and operation to ensure vaccine coverage



Established broad coverage policy to ensure all recipients have access to vaccinations. Efforts include ensuring:



•Coverage of the COVID-19 vaccine for all Medicaid recipients who have full Medicaid benefits



•No co-payments

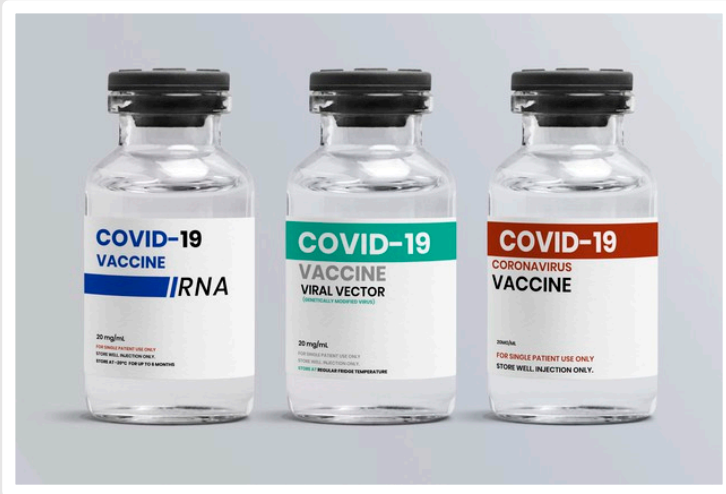


•Medicaid vaccine administration fee is equivalent to Medicare vaccine administration fee



•Medicaid health plans must have open provider networks for vaccine administration





- Emergency rules require nursing homes and ALFs to participate in CDC Pharmacy Partnership with Walgreens and CVS
- Collected vaccine data from hospitals and long-term care facilities that could be used to support vaccine allocation efforts
- Leveraging provider partnerships to respond to needs and questions





# Questions?



YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/4/2021

Meeting Date

Bill Number (if applicable)

Topic Presentation by the Agency for Health Care Administration

Amendment Barcode (if applicable)

Name Shevaun Harris

Job Title Acting Secretary of AHCA

Address 2727 Mahan Drive

Phone 850-412-4264

Street

Tallahassee

Florida

32308

Email shevaun.harris@ahca.myflorida.com

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Agency for Health Care Administration

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/4/2021

Meeting Date

Bill Number (if applicable)

Topic Presentation by the Agency for Health Care Administration

Amendment Barcode (if applicable)

Name Molly McKinstry

Job Title Deputy Secretary of Health Quality Assurance

Address 2727 Mahan Drive, Building 3, Room 3107

Phone 850-412-4420

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Tallahassee

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32308

Email molly.mckinstry@ahca.myflorida.com

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

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# **Florida Long Term Care COVID-19 Response Update to Florida Senate Select Committee on Pandemic Preparedness and Response**

**February 4, 2021**

**Emmett Reed**

**CEO/Executive Director**

**Florida Health Care Association**

[www.fhca.org](http://www.fhca.org)

# March 2020 – Our World Changed

- Long Term Care Centers quickly became a central focus of the state and federal response to the pandemic.
- Pandemic surpassed any previous infectious disease outbreaks in long term care history and scope of experience.
- Facilities have showed extraordinary resilience and commitment to the safety and health of their residents.
- Multiple challenges in complying with local, state and federal requirements often with little time to adjust.
- Managing staff, resident and family fears and expectations became huge hurdle.

[www.fhca.org](http://www.fhca.org)





# Our Demographics Impacted Our Risk

## Florida Long Term Care Center Demographics

- 690 Nursing Homes
- 3100 Assisted Living Facilities
- Approx 138,400 Residents / 179,500 Staff

## LTC Residents at Increased Risk

*Our vulnerable population at high risk, and risk to staff health.*

- Average Age of Residents (85)
- Underlying Medical Conditions
- Congregate Setting (Group Dining, Activities, etc.)
- Physical Plant – Shared Rooms



# Our Response is Saving Lives

## COVID Stats

- **Today: 97% of Residents COVID-free; 98% of Staff COVID-free**
- **Average throughout Pandemic: Approx. 98% COVID-free for Residents & Staff**
- **At Height of Spread: 97% of Residents; 95% of Staff COVID-free**

## Achieved By:

- **Innovative implementation of best practices by healthcare heroes on frontline**
- **Effective isolation and infection control processes**
- **Swift action by providers, AHCA and Dept. of Health to quickly address spread in facilities**

[www.fhca.org](http://www.fhca.org)



# Facilities Enact Protocols – Call for Help

- Facilities Adopt Screening Staff & Visitors
- Expand Infection Control Safety Measures
- Require Disinfecting/Hand Hygiene

## Nursing Homes Have Critical Needs

- Supply Shortage Crisis for Personal Protective Equipment

*Facilities forced to hand-sew masks, reuse supplies, resort to making gowns out of raincoats and trash bags to protect residents*

- Initial Lack of Testing

*Delayed test results put residents at risk, resulting in staffing challenges*



# Continuous & Conflicting Guidance

- Federal Mandates – CDC, CMS, OSHA
- State Guidance – AHCA, Department of Health
- Local Requirements – County Health Departments

## Visitation Restricted on March 16, 2020

- *Visitation Restricted (FL); Group Dining/Activities Restricted (Federal CMS)*

## Mask Mandate

- *Double Surgical Mask Required in Some Counties, Cloth Mask Acceptable in Others*

## Reporting

- Daily Emergency Status System Reporting; Federal National Health Safety Network Reporting

*Biweekly Testing Requirement (FL); Testing Requirement Based on County Positivity Rate (Federal)*

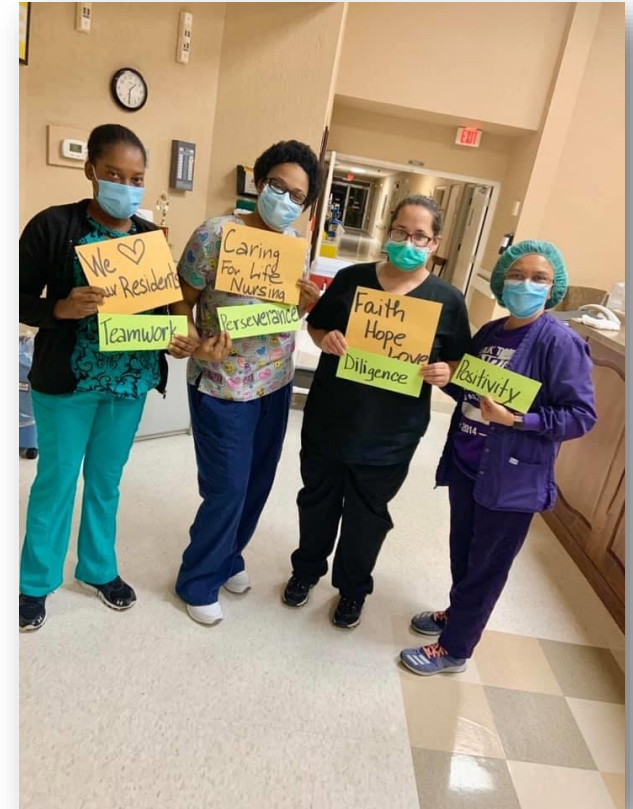


# Staff Carry the Weight

- Existing workforce shortages going into pandemic
- Caregivers working overtime to cover staff who are sick or have childcare issues
- Staff experiencing physical and mental exhaustion, fears of putting family at risk of exposure

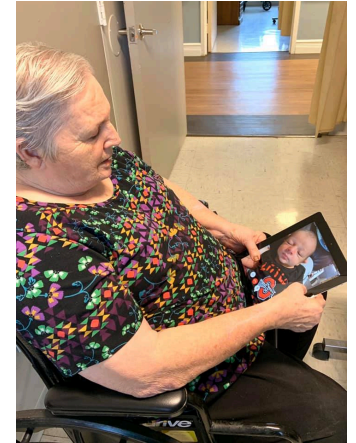
## AHCA Approves the Personal Care Attendant Program

- 8-hour training allows recruitment of new staff to assist CNAs in daily resident care
- Almost 2,000 new hires since program began; 85% of those who challenged the CNA state exam are now on a career path in long term care
- Priority to advocate during session to make permanent



# Caregivers Strive to Meet Residents' Needs

- **Work to keep residents and families connected through technology, drive-by parades, window visits**
- **Host hallway bingo, musical performances, serve as clergy**
- **Ask community to send flowers, letters**
- **In-house Barber and Styling salons shut down – CNAs provide those services to residents**



# Financial Challenges

## Increased Expenses Due to COVID-19 Response

- Personal Protective Equipment
- Screening & Infection Control Supplies
- Overtime and Heroes Pay for Staff
- Physical Plant Upgrades to Mitigate Spread have doubled provider expenses in many cases

## Facilities are Strained -

- Declining Occupancies (down 15%), Medicaid Funding Gap
- \$61 million a month in lost Medicaid Revenue Statewide

## CARES Act Funding

- \$605 million in funding from federal government temporary and limited infusion
- Used toward PPE, Testing, Staffing / Heroes Pay, Visitation Stations



# Response Collaborations

## **FHCA Daily Conference Calls for Providers with AHCA Secretary, State Surgeon General, Dept of Health Experts, Emergency Operations Center**

- ***1,000+ providers participating to stay informed***

## **DOH Strike Teams work with local centers**

- ***Infection control and prevention support; consultation on cases***

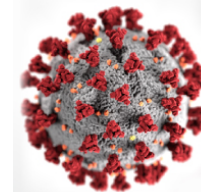
## **COVID Isolation Centers**

- ***23 FHCA members offer dedicated facilities to allow residents to safely recover from virus to mitigate spread***

## **Hospital to Nursing Home Transfer Protocols; Regional Webinars with FHA**

- ***Ensures safe transfers between facilities that adapt as testing, vaccines impact care***

[www.fhca.org](http://www.fhca.org)



**COVID-19**

CORONAVIRUS DISEASE 2019

**UPDATES AND INFORMATION**

Nursing Home - Health/Regulatory Partner Call

Dial 1-866-951-1151 Room 8484844#



# Vaccine Rollout

**CDC Pharmacy Partnership for LTC with CVS/Walgreens**

**DOH Vaccine Strike Teams for Nursing Homes in Broward and Pinellas**

**Six South Florida Nursing Homes Pilot In-House Vaccine Clinics; Doses Administered by Their Clinical Teams**

- **Nearly all Nursing Homes Completed First Dose Clinics**
- **Second Dose Clinics Underway**

**ALFs – CVS, Walgreens and State Contract with CDR Health to Administer Vaccines**

- **First Dose Clinics Scheduled in Vast Majority of ALFs**

**FHCA & Members Working to Promote High Vaccination Rate**

- **70-80% of Residents Taking Vaccine; 40% of Staff**
- **Vaccinations Among Staff Are Higher in Second Clinic**

[www.fhca.org](http://www.fhca.org)



# Continuing the Response

## Strengthened Existing Relationships

- Teamwork with all local, state and federal agencies, to find strategies and solutions to unexpected or unintended issues; reopening to visitors; overcoming vaccine hesitancy
- Takes all partners working together to yield best health outcomes for LTC residents

## Anticipated Challenges for Long Term Care Facilities

- Ongoing financial and operational challenges
- Retaining and recruiting workforce
- Rebuilding public trust and confidence in the Long Term Care Community
- Long term vaccine strategy in 2021 and beyond
- Emergency response capabilities during Hurricane Season under the pandemic
- Mental health recovery of residents
- Safe transition or return to previous day to day normalcy for residents

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- **“Outbreaks of COVID-19 in nursing homes are often a signal of the communities into which the virus is spreading.”**  
*University of Chicago – R. Tamara Konetzka*
- **“Facilities located in [urban areas, large populations, counties] with a higher prevalence of COVID-19 cases, were more likely to have reported cases.”**  
*Harvard - David Grabowski*
- **“COVID-19’s ability to hide in plain sight will continue to crush expectations of halting its spread unless more and quicker testing at nursing homes sweeps the country.”**  
*Brown University - Vincent Mor*
- **Quality rating of a facility and previous citations were not factors in outbreaks**  
**“No meaningful relationship between nursing home quality and the probability of at least one COVID-19 case or death.”**  
*University of Chicago – R. Tamara Konetzka*



# What We've Learned So Far

## Smart Decisions and Actions Saved Lives

- **Requiring Hospitals to Test Before Transferring Residents to LTC Facility**
- **Continued Screening/Taking Temperatures Before Entry**
- **Wearing Masks to Prevent Asymptomatic Spread**

## Facilities Managing COVID Threat More Effectively Through Gained Knowledge

- **Proper Use of PPE**
- **Infection Control and Mitigation Strategies**
- **Managing COVID patient care with separate wings to mitigate spread or transferring to hospital when appropriate for a higher level of care**

## Managing Visitation to Ensure Continued Resident Safety

- **Following Federal Guidelines, By Appointment with Families, Outside in Some Cases for Safety**



# Questions?

**Emmett Reed**

**Florida Health Care Association**  
**ereed@fhca.org | (850) 224-3907**

**[www.fhca.org](http://www.fhca.org)**

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/4/21  
Meeting Date

Bill Number (if applicable)

Topic Long-term Care Presentation at Request of Chair Amendment Barcode (if applicable)

Name Emmett Reed

Job Title Executive Director - FL Health Care Association

Address 307 West Park Avenue Phone 850-224-3907  
Street

Tallahassee FL 32301 Email ereed@fhca.org  
City State Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

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# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Agriculture  
Appropriations Subcommittee on Agriculture,  
Environment, and General Government  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Environment and Natural Resources

## SELECT COMMITTEE:

Select Committee on Pandemic  
Preparedness and Response

## JOINT COMMITTEE:

Joint Administrative Procedures Committee

## SENATOR LORANNE AUSLEY

3rd District

February 3, 2021

The Honorable Danny Burgess  
Chair, Select Committee on Pandemic  
Preparedness and Response  
Florida Senate  
404 S Monroe ST  
224 Senate Office Building  
Tallahassee, FL 32399-1100

Dear Chair Burgess:

I would respectfully request to be excused from your Select Committee on Pandemic Preparedness and Response on Thursday, February 4, 2021. Unfortunately, I tested positive for COVID-19 and am currently following CDC and Senate protocols for testing and quarantining.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lorraine Ausley".

Lorraine Ausley  
Senate District 3

cc: P K Jameson, Staff Director  
Lisa Roberts, Committee Administrative Assistant

## REPLY TO:

- 20 East Washington Street, Suite D, Quincy, Florida 32351 (850) 627-0474
- 202 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5003

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**WILTON SIMPSON**  
President of the Senate

**AARON BEAN**  
President Pro Tempore

# CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Select Committee on Pandemic Preparedness and Response Judge:

Started: 2/4/2021 11:31:11 AM

Ends: 2/4/2021 12:58:14 PM

Length: 01:27:04

11:31:11 AM Sen. Burgess (Chair)  
11:32:10 AM TAB 1 - Presentation by the Agency for Health Care Administration  
11:33:11 AM Shevaun Harris, Acting Secretary, Agency for Health Care Administration  
11:47:31 AM Sen. Harrell  
11:48:13 AM S. Harris  
11:49:37 AM Sen. Harrell  
11:50:06 AM S. Harris  
11:51:02 AM Sen. Harrell  
11:51:29 AM S. Harris  
11:51:55 AM Sen. Harrell  
11:52:08 AM S. Harris  
11:52:13 AM Sen. Harrell  
11:52:37 AM S. Harris  
11:52:53 AM Molly McKinstry, Deputy Secretary, Agency for Health Care Administration  
11:54:42 AM Sen. Burgess  
11:55:20 AM Sen. Harrell  
11:55:57 AM S. Harris  
11:56:23 AM Sen. Harrell  
11:56:36 AM S. Harris  
11:56:54 AM Sen. Burgess  
11:57:24 AM Sen. Pizzo  
11:57:54 AM S. Harris  
11:58:35 AM Sen. Pizzo  
11:58:53 AM S. Harris  
11:59:14 AM Sen. Pizzo  
12:01:00 PM S. Harris  
12:01:46 PM Sen. Pizzo  
12:02:29 PM S. Harris  
12:03:08 PM Sen. Pizzo  
12:03:45 PM S. Harris  
12:04:25 PM Sen. Burgess  
12:05:17 PM S. Harris  
12:05:47 PM Sen. Brandes  
12:06:12 PM S. Harris  
12:06:36 PM M. McKinstry  
12:08:26 PM Sen. Brandes  
12:08:44 PM S. Harris  
12:08:56 PM Sen. Brandes  
12:09:14 PM S. Harris  
12:09:33 PM M. McKinstry  
12:10:30 PM Sen. Bradley  
12:10:57 PM Sen. Harrell  
12:11:55 PM S. Harris  
12:13:36 PM Sen. Brandes  
12:13:52 PM S. Harris  
12:14:14 PM TAB 2 - Presentation by the Florida Health Care Association  
12:14:43 PM Emmett Reed, Executive Director, Florida Health Care Association  
12:36:28 PM Sen. Burgess  
12:37:43 PM Sen. Pizzo  
12:39:01 PM E. Reed  
12:39:17 PM Sen. Pizzo  
12:39:31 PM E. Reed



<b>12:39:56 PM</b>	Sen. Pizzo
<b>12:41:44 PM</b>	E. Reed
<b>12:42:12 PM</b>	Sen. Harrell
<b>12:42:59 PM</b>	E. Reed
<b>12:44:03 PM</b>	Sen. Harrell
<b>12:44:42 PM</b>	E. Reed
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<b>12:49:09 PM</b>	E. Reed
<b>12:50:07 PM</b>	Sen. Brandes
<b>12:50:17 PM</b>	E. Reed
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<b>12:54:33 PM</b>	Sen. Burgess
<b>12:55:32 PM</b>	E. Reed
<b>12:55:40 PM</b>	Sen. Burgess
<b>12:55:58 PM</b>	Sen. Perry
<b>12:56:55 PM</b>	Sen. Pizzo
<b>12:57:32 PM</b>	Sen. Burgess