

**ALABAMA DEPARTMENT OF PUBLIC HEALTH
DIVISION OF HEALTH CARE FACILITIES
MEDICAL DIRECTORS' ADVISORY COMMITTEE**

DATE: Saturday, February 16, 2008 7:30 a.m.

PLACE: Sheraton Hotel, Medical Forum 2nd Floor
Birmingham, Alabama

Board of Directors: Robert Webb, MD, Board Chairman
Michael Hanna, MD, CMD, President
Jimmy Davis, MD, CMD, President Elect
Michael Reeves, MD, CMD, Secretary/Treasurer

ATTENDEES: W. T. Geary, MD, Medical Director, DHCF
Don Williamson, M.D., State Health Officer, ADPH
Louis Cottrell, Jr., Exec. Director, Alabama Nursing Home Association
Katrina G. Magdon, Alabama Nursing Home Association
Robert Webb, MD, Board Chairman
Michael Hannah, MD, President
Jimmy Davis, MD, President Elect
Robert Moon, MD, Medicaid
David MacRae, MD
Jim Yates, MD
Malcolm Brown, MD
Dick Owens, MD
Jerry Harrison, MD
William S. Lee, MD
David Barthold, MD
Charles Nevels, MD
Mickey Dichiara, MD
John Wagner, MD
Wren Boyd, MD
Mia Sadler, R.N., DHCF
Diane Mann, DHCF
Rebecca Hall, DHCF

Dr. Tom Geary welcomed attendees to the advisory meeting and thanked them for attending. Minutes from the previous advisory meeting were approved as presented. Dr. Geary suggested that the minutes be shortened. The committee agreed with this suggestion.

Dr. Geary welcomed Dr. Moon, Medical Director to the Alabama Medicaid Agency, to the meeting. Dr. Moon replaced Dr. Searcy who retired. Dr. Moon provided Medicaid updates. The prescription brand name limit that was up to five has dropped back to four. Negative pressure wound therapy that was not paid for in the past is now covered by Medicaid in the

nursing home, if the patient comes in from a hospital. It is a cost issue. The physicians indicated that these are useful for healing pressure sores.

Staging of pressure ulcers according to the MDS was discussed. In nursing homes, most wounds are assessed by LPN's. According to the Alabama Board of Nursing (ABN), LPNs have not been trained in procedures, lack follow-up training and are not allowed to do assessments. As of this date, no nursing homes have pressure ulcer staging protocols approved by the Board of Nursing. There will be a meeting to discuss this issue on March 20, 2008. It was recommended that members of this committee and the ANHA attend to express concerns. It will be suggested that the BON work with 2 year colleges to get an approved wound assessment and care curriculum. It was pointed out that Medical Directors are responsible for providing input and oversight for nursing procedures. Information will be forthcoming about pressure sore certification.

Legislative Updates. The following were briefly discussed. The Mid-Wife bill is postponed in the House and is opposed by ADPH. The Nurse Practice bill will be introduced allowing the scope of practice to be extended to include technical procedures, diagnostics, and writing prescriptions for controlled substances. Collaborative practice with physicians would not be required. The Medical Directors expressed concerns about the lack of knowledge of nurse practitioners. Louis Cottrell, Executive Director of the Nursing Home Association, discussed a bill that the ANHA sponsored increasing fines for unlicensed nursing facilities, and prohibiting licensed agencies from placing patients in unlicensed facilities. This affects more assisted living facilities than nursing homes. Dr. MacRae discussed that with nursing homes full and patients not meeting the admissions criteria for ALFs, where are there individuals going to go? Dr. Williamson discussed a bill to abolish Certificate of Need. SCALFs were developed to help with placement needs. There is a concern as to what will happen to the baby boomers. On April 22, AARP is having a meeting that will focus on health care provided for the baby boomers. The Elder Death Review Bill joins all agencies including police to investigate any suspicious deaths. A concern would be that untrained people could be assessing deaths. Notification and Reporting of Infections in the hospital to the public was discussed. This involves both wound infections and UTI. This may migrate to the nursing home. There was a brief discussion about controlled substances being ordered online which is against the law and can lead to prosecution.

Regulatory Update. The CMS revisit fee has been postponed. Seventeen new surveyors are being trained. Dr. Geary discussed his role with DHCF. He explained that his role is advisory with the department. His work involves ALF/SCALF, review of statements of deficiencies, enforcement, and Quality Assurance. He consults with surveyors about clinical and medical issues. He receives calls and advises both providers and surveyors in the field. He also provides educational programs for surveyors such as investigative techniques. He is available to research issues and to provide assistance to the Medical Directors. Ms. Sadler reported that the department has hired people from a variety of disciplines rather than primarily nurses. Dr. Geary added that his mission is to make sure the surveyors understand the medical aspects of the survey correctly. The Medical Directors expressed concern about surveyors' judgment regarding medical issues. There was an example about a dietician assessing a nursing, clinical issue. Ms. Sadler assured the Medical Directors that survey teams have been cross-trained and that all teams are required to contact the facility Medical Director during a survey. A Registered Nurse is required on each survey team. If there are concerns about clinical issues, the surveyors can

contact Dr. Geary for guidance. The advisory board again pointed out the stressful nature of the survey to the staff.

Dr. Geary thanked everyone for their attendance and discussion. The next meeting will be held on Saturday, July 19, 2008, at 7:30 am, Bayside, San Destin Resort, Destin, Florida.