
***Delaware Nursing Home Residents
Quality Assurance Commission***

DNHRQAC Meeting of September 16, 2025

9:30 a.m.

Virtually via Cisco Webex

Anchor Location: DE CLASI – Georgetown

20151 Office Circle

Georgetown, DE 19947

FINAL

Commission member(s) present: Lisa Furber, DNHRQAC Chair; Cheryl Heiks; Norma Jones; Mary Peterson; Kori Bingaman, RN, NHA; Chris Marques, Esquire; Hooshang Shanehsaz, RPH; Carling Ryan, Proxy for Brian Frazee and Representative Claire Snyder-Hall.

Commission member(s) not in attendance: Senator Spiros Mantzavinos and Dr. Avani Virani.

Deputy Attorney General (DAG) Patrick Smith, Esquire was not in attendance.

Ms. Furber attended in-person @ the anchor location. The remainder of meeting participants attended virtually or by phone. A quorum of commission members was present.

Others Present: Margaret Bailey, DNHRQAC; Ngozi Dom-Chima, DNHRQAC; Nicholas Conte, DMD, Public Health; Paul Smiley, Gilpin Hall; Sean Dwyer, DE Valley Chapter Alz Assoc; Faith McCarrick, LeadingAge DE/NJ; Amanda Levering, Division of Health Care Quality (DHCQ); Denise Elliott, DHCQ; Rob Smith, DHCQ and Alexia Wolf, Delaware Hospital for the Chronically Ill (DHCI).

1. Call to Order

This meeting was called to order at 9:31 am by DNHRQAC Chair, Lisa Furber. Commission members and other attendees introduced themselves. The newest commission member, Representative Claire Snyder-Hall was welcomed. Speaker Minor-Brown recently appointed Representative Snyder-Hall to serve and replace Representative Eric Morrison. Ms. Furber publicly thanked Representative Morrison for his contributions relating to the Commission.

2. Approval of meeting minutes

The meeting minutes of 7/15/2025, 8/19/2025 & 8/29/2025 were approved as written. Representative Snyder-Hall abstained from voting since she was not a member at that time.

3. Discussion

Oral Health and Dental Services

Dr. Nicholas R. Conte JR, DMD, MBA, presented updates relating to oral health and dental services in Delaware. A copy of the PowerPoint presentation will be shared with commission members.

The Bureau of Oral Health and Dental Services is located within State of Delaware, Public Health. The mission is to promote and provide essential public health services to improve the oral health and well-being of all Delawareans:

- To support access to quality oral health services particularly for families with disadvantaged backgrounds
- To decrease the burden of oral disease among Delawareans through the promotion of oral health and delivery of essential preventive services

- To develop infrastructure that will enable and support community based public health activities prioritizing oral health
- To protect overall health through advancements in oral health care

Dr. Conte shared that the Bureau moved away from providing services and is now more focused on prevention, education and treatment or maintenance – a broader look at how the State can influence oral health in Delaware.

Community outreach and education are geared towards a more population-based approach.

The landscape of dental services in Delaware:

- 45 providers for every 100k individuals
- Fairly limited number of Federally qualified health centers
- Delaware has harder licensure requirements
- 43 other States have a direct access pathway for dental hygienists but not in Delaware
- Delaware just became the 50th State to allow dental hygienists to administer local anesthesia

Dr. Conte mentioned in 2023 there was a Dental Care Access Taskforce that produced a final report.

Medicaid clients have dental benefits = \$1,000 and \$1,500 for emergencies.
Medicare generally does not include any dental benefits.

The Bureau has a hotline: 302.318.8850 (Monday - Friday, 8:00 am - 4:30 pm). They also have a resource guide.

FY24 CMS Metrics

During a previous DNHRQAC Meeting, members briefly discussed an August 6, 2025 Centers for Medicare and Medicaid Services Memorandum regarding the State Performance Standards System (SPSS). The memorandum, covering FY 24 (10/1/23 – 9/30/24), summarized states' performance with scores of "Met, Partially Met or Not Met".

The report showed that Delaware Met 2 out of the 7 performance measures. Due to time constraints, the Commission asked DHSS to provide a response to the report and discuss further during the September 16, 2025 meeting. Ms. Levering, Interim DHCQ Director, and other staff members added that DHCQ is caught up on the annual surveys.

Mr. Smith noted that DHCQ prioritizes their work - standard surveys and immediate jeopardy or 10-day actual harm complaints take priority over complaints of lesser severity. He mentioned that there are new surveyors currently being trained within DHCQ. Contracted surveyors from Health Management Solutions (HMS) have also been completing annual and standard surveys in Delaware LTC facilities. Ms. Levering added that DHCQ is now in contract with 2 providers to assist with the Federal Surveys and stated, "This doesn't address the backlog of complaints."

Ms. Peterson emphasized the need to add to the number of surveyor positions within DHCQ and has been advocating for this over the past several years. She added that it's her understanding DHCQ recently added 2 additional positions to the Background Check Center. Ms. Peterson mentioned if the State wants to look at infrastructure, it should look at improving the workforce that is currently in place. Additionally, Ms. Peterson added that when the State looks at adding positions, such as a compliance nurse, they may want to look at educational requirements (RN for non-acute and non-skilled areas vs BSN for acute and skilled areas) as opportunities to overcome hiring barriers. Finally, Ms. Peterson encouraged the State not to lose sight of staff morale.

Ms. Levering mentioned her focus will be:

- Looking closer at civil monetary penalties imposed at the State and Federal level
- Building on partnerships with other entities, such as DNHRQAC and facilities
- Analyzing data further as it relates to immediate jeopardy/harm
- Developing educational programs to help mitigate deficient practices DHCQ is seeing in the facilities

Ms. Bailey reminded participants that DHCQ has been asked to attend the October 21, 2025 DNHRQAC Meeting to provide updates for 3rd Qtr 2025 activities.

Ms. Levering informed commission members about a meeting held yesterday with the Fire Marshall's Office. As a result, the Fire Marshall's Office will be adding 2 staff to monitor life safety codes in healthcare facilities. Currently, there is one staff member assigned with this task.

Commission members were asked to send any questions regarding the FY24 performance report or others to Ms. Bailey so she can send them collectively to DHCQ.

4. Old Business/New Business

DNHRQAC Statute Legislation

Senate Bill (SB) 155 w/Senate Substitution (SS) 2 was signed by Governor Meyer on August 25, 2025. As a result, the statutory changes will take effect November 23, 2025. Ms. Furber mentioned there are several moving parts that will require implementation: name change, additional commission members, ability to apply for grants and other items outlined in the bill.

DNHRQAC Strategic Planning Session

Ms. Furber mentioned during previous meetings that July/August would be a perfect time for the Commission to host a strategic planning session for members to discuss short-term and long-term goals. As a result, commission members were asked if the planning session could be placed on hold for a brief period to complete other tasks at hand, such as items impacted by the recent signing of SB 155 w/ SS2; state-wide satisfaction survey; FY 25 annual report; staffing ratio waiver applications and others. There were no objections raised by commission members present. Commission members interested in helping to plan a July/August 2026 strategic planning session were asked to contact Ms. Furber or Ms. Bailey.

DNHRQAC Satisfaction Survey

Ms. Dom-Chima provided information relating to the residents, caregivers/family members and staff satisfaction survey. During FY 26, the Joint Finance Committee (JFC) awarded DNHRQAC with \$15,200 in Grant-In-Aid funds to conduct a satisfaction survey for skilled nursing facilities (SNF) and assisted living facilities (ALF) throughout Delaware. The survey will focus on quality of care and safety-related questions that align with the commission's goals. No health or individual identifier information will be captured in this survey.

The goal has been to roll out the survey in September/October 2025. The survey will take 2 -5 minutes to complete.

A list of Frequently Asked Questions (FAQ's) was shared with commission members. Information was shared about the satisfaction survey, using Survey Monkey software and a volunteer-based approach to assist residents in completing questions. A QR code will be posted in the buildings for caregivers/family members and staff to participate in the state-wide on-line survey, too.

Ms. Dom-Chima will continue to provide updates, as available, to the Commission. During a previous commission meeting, an MOU was approved by DNHRQAC members and DAG Smith to allow University of Delaware (UD) students to participate in this project. Ms. Dom-Chima encouraged commission members to also volunteer to participate in this project.

Educational sessions have been scheduled with various stakeholders regarding the state-wide satisfaction survey:

- October 3, 2025 @ 10:00 am – LeadingAge to host (Ms. Bailey shared link & FAQs with DHCFA to include in their weekly newsletter to members)
- October 14, 2025 @ 9:30 am – DHCQ to host (link will be forwarded to all Delaware LTC providers)
- November 2025 (no date/time or link provided yet) – DHCFA to host with Assoc. members

Ms. Heiks raised concern about volunteers being used to assist the residents and whether the volunteers will have a criminal background check. Discussion ensued.

Mr. Marques mentioned members should keep in mind that volunteers will be acting on behalf of the Commission with a degree of trust for recipients and therefore anything DNHRQAC can do to not expose residents to individuals that may have ill intentions would be ideal.

Ms. Peterson added that commission members often visit facilities for various reasons and are not required to be background checked. Additionally, she mentioned that DHCQ surveyors are not required to be background checked either yet spend a lot of time with residents, individually, behind closed doors. As a result, Ms. Peterson cautions placing obstacles in front of a conducting a satisfaction survey to gather data relating to quality of care and safety.

Ms. Bingaman mentioned some facility's have corporate policies in place for visitors, vendors and government agencies. As a result, she believes this could possibly become problematic.

Additionally, Ms. Bingaman suggested the Commission might want to consider discussing background checks in the future for members, since the group makes decisions impacting long term care. Ms. Furber mentioned if this is the pleasure of the Commission, this topic can be added to a future meeting agenda. She added that DNHRQAC is considered an advisory type of agency that provides recommendations relating to long-term care system. As a result, she believes there may be a middle ground on this topic.

Ms. Bailey asked Ms. Heiks what the position of the Association is relating to the satisfaction survey. Ms. Heiks shared that there is a meeting coming up to discuss the survey and therefore she doesn't currently have an idea about how the DHCFA's board feels about this project.

Ms. Furber added that she is concerned that a standard is being created where there isn't one and maybe doesn't need to be one.

Ms. Furber allowed Mr. Paul Smiley, a member of the public, to provide comments at this time relating to this topic. Mr. Smiley mentioned that a former DHCQ Director provided guidance to the facilities when anyone was going to be alone with a resident including physicians & psychologists. As such, the directive was that the person would need a background check to meet individually with a resident. He added that he is not opposed to a satisfaction survey and believes DNHRQAC could get around this concern if there is another person (like a staff member or another person) in the room that has had a background check, when the survey is being completed. He would hate to see something negative happen and provided an example. Mr. Smiley added it would be helpful to provide clear direction for the facilities regarding this topic

and noted that DHCFA would like to help, too. “We don’t want to stand in the way from getting the information that you want”.

A motion was raised and seconded to move forward, as planned, for this project to include UD students, Ms. Bailey and Ms. Dom-Chima to interact with the residents since they all have undergone criminal background checks. Additionally, to move forward with the other planned survey efforts for family members/caregivers and staff. A poll vote was conducted yielding 6 members “yes” and 2 “abstentions”. The motion carried.

Mr. Marques suggested DNHRQAC may want to consult with DAG Smith and DHCQ’s DAG to see what steps need to be followed to make sure this is properly vetted. Ms. Furber asked commission members if they would like her to contact DAG Smith. Several commission members expressed agreement. As a result, Ms. Furber will contact DAG Smith and report back to commission members.

Long Term Care Ombudsman Program (LTCOP)

Ms. Peterson raised concern about the absence of the current state ombudsman in providing quarterly updates to the commission. It appears Ms. Bailey and the DNHRQAC chair have reached out to the state ombudsman on many occasions since she took office in December 2024. As a result, Ms. Peterson suggested the Commission may want to write to the DHSS Cabinet Secretary. Ms. Levering mentioned Secretary Manning will be leaving her post on October 1, 2025.

Ms. Levering stated she will be meeting soon with the state ombudsman and offered to add this item to the meeting agenda. She will update the Commission as to this item before the end of the month.

DNHRQAC FY 25 Annual Report

Ms. Furber mentioned Ms. Bailey and Ms. Dom-Chima completed a draft relating to the FY 25 annual report. Commission members Ms. Furber, Ms. Peterson and Ms. Heiks previously offered to assist with the report, too. A draft of the report will be shared with the full commission for consideration during the October 2025 meeting.

DNHRQAC Subcommittee Updates

DNHRQAC Legislative/Advocacy:

This subcommittee met with the Department of Labor on August 22, 2025 to continue the discussion of the service letters. Additionally, the subcommittee met with DHCQ Certified Nursing Assistant (CNA) Program Administrator to discuss & develop a list of demographic questions to ask during license renewal.

Ms. Levering shared that after receiving feedback and meeting with many stakeholders, the Division has recently approved keeping the service letters in the BCC. As a result, the “go live” date for the “new” BCC has been moved further out. Commission members and other meeting participants thanked Ms. Levering for sharing the news.

Eagle’s Law Staffing Ratio Waiver:

Ms. Furber advised members that since the January 1, 2025 waiver application implementation date, there have not been any applications submitted. DNHRQAC Waiver Application Decision

Subcommittee has a weekly standing meeting scheduled, posted on the Delaware Public Meeting Calendar, to review applications and provide feedback relating to an application's disposition to the full Commission. The waiver application decision meetings are cancelled, at least 2 days in advance, if there are no applications in process.

In addition to providing education relating to the satisfaction surveys, DNHRQAC will be also reminding Skilled Nursing Facility providers about the waiver application that went into effect 1/1/2025. There were several educational sessions held regarding the waiver application before its implementation. Commission members believe it may be a perfect time to mention the waivers again since applications went live on January 1, 2025.

DNHRQAC Hiring Committee:

Ms. Furber mentioned things are still in process with the support of the Administrative Office of the Courts. Additional updates will be provided as we continue to move forward and able to share some concrete information.

5. Public Comment

Ms. Bailey mentioned that Residents Rights month is in October. As tradition, an article relating to Residents Rights month will be sent to several media outlets.

Mr. Paul Smiley provided public comment relating to the background check center as a repository for service letters.

Ms. Levering also spoke & shared an update about the service letters.

6. Next DNHRQAC Meeting – Tuesday October 21, 2025 @ 9:30 am. This meeting will be conducted via virtual platform and in-person anchor location & posted on the Delaware Public Meeting Calendar.

7. Adjournment

This meeting was adjourned at 11:46 am.

Attachments: DNHRQAC Meeting of 9/16/2025 - meeting agenda
DNHRQAC Meeting of 7/15/2025 – minutes draft
DNHRQAC Meeting of 8/19/2025 – minutes draft
DNHRQAC Meeting of 8/29/2025 – minutes draft
Oral Health and Dental Services - PPP
FAQ's – Satisfaction Survey