

INTERIM JOINT COMMITTEE ON HEALTH, WELFARE, AND FAMILY SERVICES

Minutes of the 4th Meeting of the 2021 Interim

September 2, 2021

Call to Order and Roll Call

The 4th meeting of the Interim Joint Committee on Health, Welfare, and Family Services was held on Thursday, September 2, 2021, at 11:30 AM, in Room 149 of the Capitol Annex. Representative Kimberly Poore Moser, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Ralph Alvarado, Co-Chair; Representative Kimberly Poore Moser, Co-Chair; Senators Julie Raque Adams, Karen Berg, Danny Carroll, David P. Givens, Denise Harper Angel, Jason Howell, Alice Forgy Kerr, Stephen Meredith, and Max Wise; Representatives Danny Bentley, Adam Bowling, Josh Bray, Tom Burch, Ryan Dotson, Daniel Elliott, Ken Fleming, Deanna Frazier, Mary Lou Marzian, Melinda Gibbons Prunty, Felicia Rabourn, Josie Raymond, Steve Riley, Scott Sharp, Steve Sheldon, Nancy Tate, Russell Webber, Susan Westrom, and Lisa Willner.

Guests: Jennifer Washburn, Owner, iKids Childhood Enrichment Center; Betsy Johnson, President, Kentucky Association of Health Care Facilities, Kentucky Center for Assisted Living; Nancy Galvagni, President, Kentucky Hospital Association; Dr. Joseph Flynn, Chief Administrative Officer, Norton Medical Group, Physician-In-Chief, Norton Cancer Institute; Tim Veno, President, Chief Executive Officer, LeadingAge Kentucky; and Joseph McConnell, Senior Vice President of Laboratory Science, Aditxt.

LRC Staff: DeeAnn Wenk, Ben Payne, Chris Joffrion, Samir Nasir, Becky Lancaster, and Hillary Abbott.

Child Care Center Administrative Regulations During COVID-19

Senator Danny Carroll, testified that throughout the COVID-19 pandemic child care centers have focused on staff training, cleaning, sanitizing, limiting access, wearing masks and completing regular assessments of children and staff. He reviewed the number of regulated child care programs with positive COVID-19 cases in children and staff. He discussed that he is working on a bill to prioritize the development of children during a pandemic.

Jennifer Washburn, Owner, iKids Childhood Enrichment Center, discussed her program's success in fighting the COVID-19 virus by implementing health and safety practices. She testified that the costs of implementing all precautions and rising child care program expenses could prove to be a financial hardship for many families. She discussed barriers for her center including various issues related to masking two year old and three year old children and staffing shortages.

In response to questions and comments from Representative Fleming, Ms. Washburn stated that prior to the COVID-19 pandemic her center's revenue source was private pay and during the pandemic she was able to add the stipend money from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The teachers at her center will be at a \$13.00 an hour rate of pay by November 1, 2021. Her facility is accredited and many teachers have their Child Development Associate (CDA) credential. She would need to do more research on the test and stay procedures for children before implementing into her program.

In response to questions and comments from Senator Berg, Ms. Washburn stated that most of the four year olds will keep masks on in her center. She stated that 100 percent of her full-time staff is vaccinated and that only four of her part-time assistants are unvaccinated. Senator Carroll stated that in his and other child care centers, behavioral issues have significantly increased since wearing masks have been required.

In response to questions and comments from Senator Alvarado, Ms. Washburn stated that the bill he is working on for child care centers will follow the World Health Organization (WHO) guidelines regarding mask recommendations for children.

In response to questions and comments from Representative Tate, Ms. Washburn stated that the age of her staff varies. She has started to see an increase in aggressive behaviors in young children since on the onset of children and teachers wearing masks.

In response to questions and comments from Representative Dotson, Ms. Washburn stated that she would hope that child care centers within a community would reach out to each other but there is no system to validate why a child or parent may switch locations. She must investigate various information to make sure children allowed to attend her center are not supposed to be quarantining from school or another center. Vaccinations are not mandated for her employees.

COVID-19 Immunity

Senator Ralph Alvarado discussed problems with the politicization of public health issues that contribute to inconsistent guidance and contradictory information. He testified that COVID-19 vaccinations recommended by government and health care providers are a potentially life-saving, preventative measure.

Joseph McConnell, Senior Vice President of Laboratory Science, Aditxt, discussed Aditxt technology to monitor immune status in order to identify individuals who may be vulnerable to COVID-19. He reviewed the AditxtScore™ immune monitoring platform. He discussed the findings of studies on immune monitoring for COVID-19.

In response to questions and comments from Representative Moser, Mr. McConnell stated that the Aditxt technology's goal is to be able to provide each individual with data regarding their immune status related to COVID-19. Aditxt has the capacity for thousands of tests per day and has laboratory partners in the area. He explained how immune tests are different than antibody tests.

In response to questions and comments from Senator Berg, Mr. McConnell stated that there is some data to show how antibody levels rise and fall over time, and there is much individual variation. Data is being generated regarding what specific antibody level will protect individuals from active disease.

In response to questions and comments from Representative Gibbons Prunty, Mr. McConnell stated that it would be wise to get antibody testing before and after cancer treatments, because some drugs may cause immunosuppressions.

In response to questions and comments from Senator Meredith, Mr. McConnell stated that tests show that COVID-19 vaccine outcomes parallel flu vaccine outcomes.

In response to questions and comments from Representative Bentley, Mr. McConnell stated that IGD immunoglobulins are not typically used in laboratory monitoring and IGE immunoglobulins are used to establish an allergic response.

In response to questions and comments from Representative Willner, Senator Alvarado explained that immunity can vary among people who have been vaccinated.

In response to questions and comments from Representative Marzian, Mr. McConnell stated that antibody levels typically do not change in a week or a month. It depends on the individual, but usually the antibody level is maintained for at least six to eight months.

Emergency Measures to Address COVID-19

Nancy Galvagni, President, Kentucky Hospital Association (KHA), discussed the unprecedented surge in COVID-19 hospitalizations caused by the delta variant. She discussed that hospitals are competing to hire staff to fill the gaps of care. She gave recommendations for the legislature to assist hospitals.

Dr. Joseph Flynn, Chief Administrative Officer, Norton Medical Group, Physician-In-Chief, Norton Cancer Institute, testified regarding COVID-19 vaccinations, monoclonal antibody treatments, and identifying patients at risk.

Betsy Johnson, President, Kentucky Association of Health Care Facilities, Kentucky Center for Assisted Living, testified to the number of skilled nursing facility residents testing positive with COVID-19 and the long-term care (LTC) workforce shortage crisis. She discussed how the Centers for Medicare & Medicaid Services (CMS) federal mandate singles out skilled nursing facilities and places skilled nursing facilities at a significant disadvantage when competing for workers.

Tim Veno, President, Chief Executive Officer, LeadingAge Kentucky, discussed potential policies and uses for the American Rescue Plan Act (ARPA) funds to ensure continuity of care. He discussed options to assist in the maintenance and recruitment of the LTC workforce. Investments are needed for LTC facility improvements.

In response to questions and comments from Representative Moser, Ms. Galvagni stated that hospitals would be open to allowing paramedics to help with shift work to relieve overworked nurses.

In response to questions and comments from Representative Bray, Ms. Galvagni verified that ICU beds are near capacity, because there is not enough staff to accommodate all licensed beds in hospitals. Some hospitals are adding the COVID-19 vaccine to the existing vaccination requirements to try to keep staff from being quarantined, available for work, and for the safety of the patients.

In response to questions and comments from Representative Gibbons Prunty, Dr. Flynn stated that people who have COVID-19 symptoms within 10 days can receive an infusion of monoclonal antibodies; however, receiving the treatment as soon as possible can help with a positive outcome.

In response to questions and comments from Senator Meredith, Ms. Johnson stated that licensed beds are being closed, there has been a closure of a LTC facility, and with the federal vaccine mandate there could be more closures. Senator Alvarado stated that other states have already devoted money to staff retention, and Kentucky is losing healthcare workers to other states due to low pay rates.

In response to questions and comments from Senator Carroll, Ms. Johnson stated that if a county is at the red level the unvaccinated staff at a LTC facility are getting tested twice a week, PPE is being worn constantly, and LTC facilities' have isolation wings. Senator Alvarado stated that the Johnson and Johnson COVID-19 can be stored in a doctor's office.

In response to questions and comments from Senator Wise, Dr. Flynn stated that there has been spike in children being admitted to the ICU at Norton Children's Hospital due to COVID-19 and respiratory syncytial virus infection (RSV).

In response to questions and comments from Representative Bray, Ms. Galvagni clarified that quarantining staff that have not been vaccinated is only part of the staffing issue, hospitals have also lost staff due to resignations. Dr. Flynn stated that hospitals are following Centers for Disease Control and Prevention (CDC) guidelines regarding quarantining and testing of vaccinated and unvaccinated healthcare workers.

Adjournment

There being no further business, the meeting was adjourned at 2:21 PM.