

ROCK COUNTY, WISCONSIN



Rock Haven  
P.O. Box 920  
Janesville, Wisconsin 53547-0920  
Phone 608-757-5076  
Fax 608-757-5026

**HEALTH SERVICES COMMITTEE**  
**Wednesday, November 16, 2021 at 10:00 a.m.**  
**CALL: 1-312-626-6799**  
**MEETING ID: 879 2179 8769**

Topic: Health Service Committee

Time: November 16, 2021 10:00 AM Central Time (US and Canada)

Join Zoom Meeting:

<https://us02web.zoom.us/j/87921798769?pwd=TGZFd2dQMTlxSzhsTnNZMnNpd0ZqZz09>

**Meeting ID:** 879 2179 8769

**Password:** 5076

Dial by your location

- +1 **312 626 6799** US (Chicago)
- +1 929 205 6099 US (New York)
- +1 253 215 8782 US
- +1 301 715 8592 US
- +1 346 248 7799 US (Houston)
- +1 669 900 6833 US (San Jose)

Find your local number: <https://zoom.us/u/ac7VPUjL6j>

If you are interested in providing public comments on items on this agenda, you must submit your comments by Monday, November 15, 2021 by 1pm. To submit a public comment, use the following email: [lynch@co.rock.wi.us](mailto:lynch@co.rock.wi.us).

**Join from a telephone:**

- On your phone, dial the phone number provided above
- Enter the meeting ID number when prompted, using your dial-pad.
- Please note that long-distance charges may apply. This is not a toll-free number.
- Supervisors: Please identify yourself by name
- **Please mute your phone when you are not speaking to minimize background noises**
- We are new at holding meetings this way, so please be patient

Instructions for the hearing impaired –

<https://support.zoom.us/hc/en-us/articles/207279736-Getting-started-with-closed-captioning>

Please contact Michelle at (608)757-5076 if you are going to be late or if you will not be able to attend the meeting.

**HEALTH SERVICES COMMITTEE**  
**Wednesday, November 16, 2021 - 10:00 A.M.**

**AGENDA**

1. Call to Order
2. Approval of Agenda
3. Introductions, Citizen Participation, Communications, and Announcements
4. Approval of Minutes – None
5. Review of Payments
6. Budget Transfers
7. Resolutions and Committee Action
  - a. Rescinding Resolution No. 21-5B-266, Related to Covid-19 Vaccine Requirements at Rock Haven
8. Information Item
9. Staff Report
10. Committee Request
11. Next Meeting Date – The next regular meeting of the Health Services Committee will be Wednesday, December 8, 2021.
12. Adjournment

\*Note to Committee Members: To ensure a quorum is present, please call the Administrative Secretary at 757-5076 if you are unable to attend the meeting.

The County of Rock will provide reasonable accommodations to people with disabilities. Please contact us at 608-757-5510 or e-mail [countyadmin@co.rock.wi.us](mailto:countyadmin@co.rock.wi.us) at least 48 hours prior to a public meeting to discuss any accommodations that may be necessary.

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

INITIATED BY

HEALTH SERVICES COMMITTEE  
SUBMITTED BY



Corporation Counsel Richard  
Greenlee

DRAFTED BY

November 10, 2021  
DATE DRAFTED

**RESCINDING RESOLUTION NO. 21-5B-266, RELATED TO COVID-19 VACCINE  
REQUIREMENTS AT ROCK HAVEN**

- 1 **WHEREAS**, on November 4, 2021, the United States Department of Health and Human Services’ Centers
- 2 for Medicare and Medicaid Services (“CMS”) issued the interim final rule Omnibus COVID-19 Health
- 3 Care Vaccinations; and,
- 4
- 5 **WHEREAS**, this Rule requires that all Medicare and Medicaid certified skilled nursing facilities
- 6 implement policies and procedures that require all staff working at the facilities to be fully vaccinated; and,
- 7
- 8 **WHEREAS**, Resolution Number 21-5B-266 passed by the Rock County Board of Supervisors on May
- 9 27, 2021 states “Rock Haven may not require staff to receive a COVID-19 vaccine”; and,
- 10
- 11 **WHEREAS**, it is necessary for the Board of Supervisors to rescind Resolution Number 21-5B-266 in
- 12 order to come into compliance with the November 4 Interim Final Rule; and,
- 13
- 14 **WHEREAS**, failure to come into compliance with the November 4 Interim File Rule could result in
- 15 citations, forfeitures, and other penalties imposed by CMS, up to and including denial of payment of all
- 16 federal funding for Rock Haven.
- 17
- 18 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
- 19 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ herby rescinds Resolution Number 21-5B-266.

Respectfully submitted,

**HEALTH SERVICES COMMITTEE**

\_\_\_\_\_  
Tom Brien, Chair

\_\_\_\_\_  
Kathy Schulz

\_\_\_\_\_  
Kevin Leavy

\_\_\_\_\_  
Ron Bomkamp

\_\_\_\_\_  
Mary Beaver

Rescinding Resolution No. 21-5B-266, Related to COVID-19 Vaccine Requirements at Rock Haven  
Page 2

LEGAL NOTE:

The County Board is authorized to take this action pursuant to Wis. Stat. § 59.22(2)(c).

/s/Richard Greenlee

Richard Greenlee  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended. While the County could choose to forego \$9.5 million in federal revenue and still operate Rock Haven, it would be challenging to reallocate \$9.5 million that is currently devoted to other areas of the County budget to Rock Haven.

/s/Josh Smith

Josh Smith  
County Administrator

FISCAL NOTE:

If this resolution isn't approved, it will have a material effect on the County's finances due to the loss of \$9.5 million in federal revenue and the possibility of other financial penalties CMS may impose.

/s/Sherry Oja

Sherry Oja  
Finance Director

## Executive Summary

### **RESCINDING RESOLUTION NO. 21-5B-266, RELATED TO COVID-19 VACCINE REQUIREMENTS AT ROCK HAVEN**

On November 4, 2021, the United States Department of Health and Human Services' Centers for Medicare and Medicaid Services ("CMS") issued the interim final rule Omnibus COVID-19 Health Care Vaccinations. This Rule requires that all Medicare and Medicaid certified skilled nursing facilities implement policies and procedures that require all staff working at the facilities to be fully vaccinated. This rule will be enforced through the annual and complaint survey processes, which are conducted by State surveyors. Enforcement actions can include citations, forfeitures, and denial of new admissions, among other actions.

Ultimately, the rule requires compliance in order to receive federal Medicare and Medicaid funding. In the 2022 Rock County budget, federal revenues are anticipated to total \$9.5 million, or 55.3% of the \$17.2 million operating budget for Rock Haven. The other primary sources include tax levy (\$4.3 million) and private pay revenue (\$3.3 million).

Resolution Number 21-5B-266, passed by the Rock County Board of Supervisors on May 27, 2021, states "Rock Haven may not require staff to receive a COVID-19 vaccine." In order to come into compliance with the November 4 Interim Final Rule and avoid enforcement actions and the potential loss of federal funding, it is necessary for the Board of Supervisors to rescind Resolution Number 21-5B-266.