

Assisted Living DOH Update Division of ACF/Assisted Living Surveillance

Session Sponsored by:



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Mission Statement

The Division of Adult Care Facilities (ACF) and Assisted Living Surveillance will ensure that residents of New York State Adult Care Facilities receive high quality services through:

- Compliance with statutory and regulatory requirements;
- Promotion of innovative and technological practices;
- Quality assurance and improvement activities; and
- Fostering of continuous improvements through collaboration with key stakeholders.

2018 Accomplishments

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- Issued EQUAL 2018-19 funds (243 ACFs on behalf of 11,964 residents).
- Issued the 2018-2019 Operating Subsidy applications for funding to 34 not-for-profit Enriched Housing Program Sponsors who provide board, care and services to over 5,200 low-income (SSI eligible) individuals based on the eligible resident count.
- Continued review of ACF regulations and provided guidance regarding compliance with the Home and Community Based Settings (HCBS) Final Rule.

2018 Accomplishments (cont.)

- Updated the Resident Rights Brochure.
- Hosted a stakeholder workgroup to redesign the ACF Financial Report into a user-friendly format.
- Centralized the Residency Agreement review process, resulting in streamlined communication and approval.

2018 Accomplishments (cont.)

- Streamlined the Inspection Review Process (IRP) by delivering determination letters via ePOC.
- Promoted the public-facing ACF Profile as a mechanism to promote transparency and display facility demographics.
- Processed Phase 1 of the ALP9 Expansion – with a turnaround time of 11 days from receipt to determination.

2019-20 Division Goals

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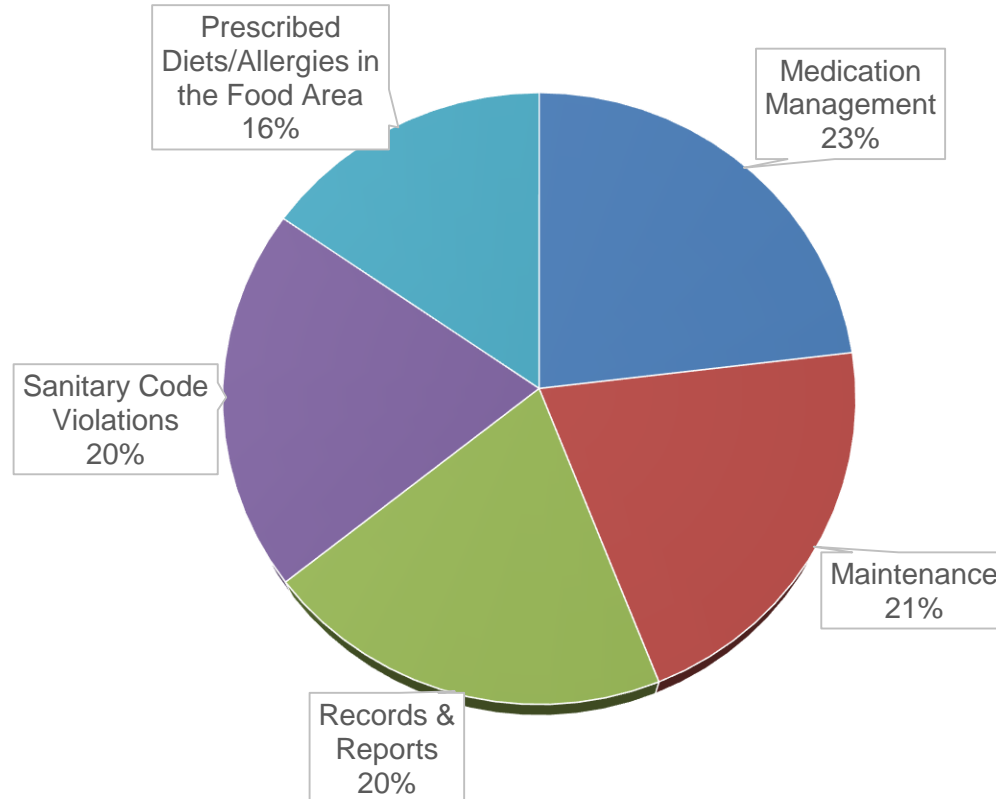
- Move to electronic incident reporting through HERDS.
- Implement a mechanism for electronic complaint reporting.
- Continue stakeholder discussions regarding implications of advanced directives and the provision of hospice services in adult care facilities.

2019-20 Division Goals

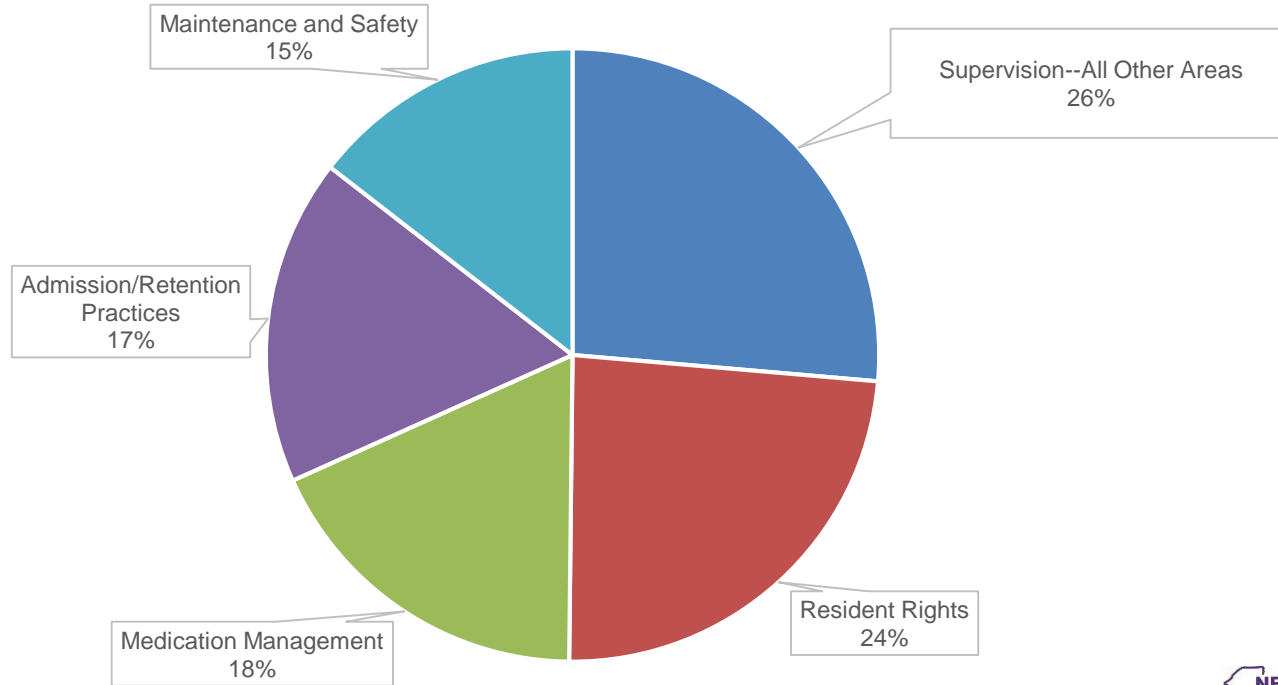
- Move the licensure application process to NYSECON.
- Provide training to architects regarding third party architectural certification expectations.
- Finalize revisions to the ACF Financial Report based on recommendations made by the Streamlining Workgroup.
- Continue to promote the Division's mission statement.

Surveillance

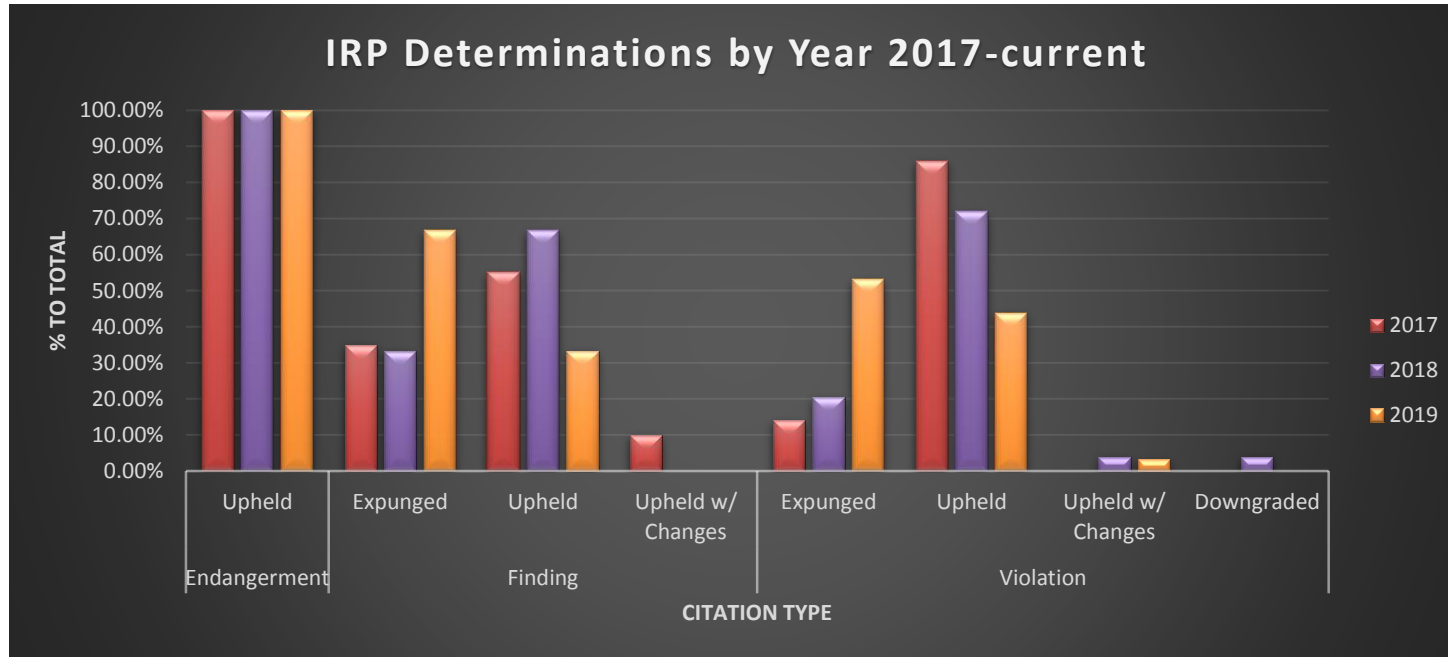
Top 5 Common Citations in 2018



Top 5 Complaint Allegations Received in 2018



Inspection Review Process (IRP) Determinations



Program & Policy Updates

Efforts to Improve and Sustain Quality

- Special Needs Assisted Living Residence (SNALR) – engage in training opportunities to understand the population and facilitate provision of adequate care.
- Be mindful of cultural sensitivity. Training opportunities are available.
- Be proactive.

Program Updates

- Even non-reportable incidents must be documented.
- Be mindful of the confines of the SSI Institutional Benefit. Is the resident reasonably expected to return to the adult care facility? Document in case management notes.
- Voluntary Discharges: Documented discussion(s) with Resident and Family supports compliance.

Criminal History Record Check (CHRC)

- Payments have been made through 2017, payments for 2018 will be released in June 2019.
- Concern: Delayed fingerprinting due to lack of follow-up with the Livescan appointment.
- Discrete and Secure Accounts: It is unlawful to share accounts for purposes of accessing information.

Transitional Adult Home Compliance Plans

- Approved 31 plans, 5 facilities in process of editing proposed plan to resubmit.
- The Department will review compliance including those related, but not limited to, independent living skills training, establishing a home-like atmosphere, and encouraging community integration during routine survey activities.

2019-20 Assisted Living Program (ALP) Updates

- Catalogue and analyze responses to the ALP Request for Information regarding ALP Need Methodology issued March 2019.
- Issue Request for Applications for two 500-bed pools to expand access in underserved counties.

Siderail Reduction: DAL 19-08

- Siderails are not assistive devices.
- Residents currently using siderails may in fact exceed retention standards or require increased supervision as the siderails are being used as assistive devices.
- Be proactive: Educate family members.
- Be mindful of stored rails as tripping hazards.
- Waivers will be expedited to the extent possible.
- Know and understand the device you are using.
- Major danger: Entrapment.

Supervision in Special Needs Assisted Living Residences (SNALR)

- Electronic monitoring devices do not replace supervision.
- Designate staff supervisor roles and responsibilities.
- Training opportunities exist – please pursue them.

Assisted Living Program (ALP)

- At ALP 6-month reassessment (or upon change in condition), document a discussion was held with the resident about his voluntary decision to receive ALP services and the resident's expressed decision.

Current ALP Environment

- 150 facilities with approval to provide ALP services.
- 12,369 approved ALP slots.

	CDRO	CNYRO	MARO	WRO
# Approved Slots	1,097	1,311	8,068	1,893
# Facilities	23	24	71	32
Occupancy	65%	82%	83%	76%
# Slots in Queue	172	216	3,076	485
# Facilities in Queue	4	6	14	10



ACF Self-Reported Occupancy Rates

Region	AH/EHP	ALP	ALR	EALR	SNALR
CDRO	76%	65%	58%	51%	77%
CNYRO	78%	82%	55%	55%	73%
MARO	78%	83%	65%	52%	70%
WRO	74%	76%	65%	41%	73%
Statewide	77%	80%	64%	50%	72%

2019-20 Home and Community Based Settings (HCBS) Updates

- To comply with the HCBS federal rule, update applicable regulations identified in the CMS-approved New York State Statewide Transition Plan.
- Provide ongoing guidance to affected adult care facilities to ensure compliance.
- Onsite reviews are being conducted ad hoc by regional licensure staff.

2019-20 HCBS Updates (cont.)

- Adult Care Facilities who are co-located or on the same grounds as a nursing home, and who self-reported at least one resident receiving Medicaid-funded HCBS, will be referred to the Department's Heightened Scrutiny process.
- The Department will work closely with affected facilities to gather appropriate information related to the process.

2019-20 HCBS Updates (cont.)

- Person-Centered Planning Statewide Training Initiative
 - Begins Spring 2019.
 - The training initiative will consist of an extensive series of Regional Trainings and Learning Institutes held across the State **at no cost to participants**. Learning Institutes are unique learning experiences grounded a perspective and set of practices developed at MIT that support transformational change and inform approaches to person-centered planning and practice.

Criminal History Record Checks (CHRC)

CHRC Submittals

- Submitting correct information and spelling is paramount.
 - Use the prospective employee's **valid ID** to verify name and address.
 - Utilizing a form can delay processing.
- You may receive a follow-up call or email requesting additional information for processing.

Contacting CHRC

- Only the facility's **Authorized Person** may contact CHRC. Therefore, we recommend assigning at least 2 people within this role.
- Be prepared to provide the following information:
 - PFI Number (Operating Certificate).
 - Facility Name.
 - Your Name and Telephone Number.
 - The employee's Date of Birth.
 - The employee's Name.

Contacting CHRC – Contact Information

- Contact CHRC via the CHRC application ***Preferred***



- For questions regarding intake (pre-LiveScan):

CHRC@health.ny.gov

(518) 402-5549

- For questions regarding legal review (post-LiveScan):

CHRCLegal@health.ny.gov

(518) 408-1627

Questions

Collaboration is Key

Thank you for your ongoing commitment toward enhancing the quality of life for our residents. We look forward to ongoing collaboration in 2019.

Main Phone: (518) 408-1133

Written Inquiries: acfinfo@health.ny.gov

Licensure Phone: (518) 408-1624

Written Inquiries: acfcon@health.ny.gov

Thank you to our session sponsor

