

DRAFT MINUTES
(TO BE APPROVED AT APRIL MEETING)

COMMUNITY CARE ADVISORY COUNCIL
January 22, 2018

Present:

Steve Lish, RALF IHCA Administrator, Chair
Tamara Prisock, IDHW Director Designee
Aaron Herring, IDHW Council Support
Christine Pisani, Developmental Disabilities Council, Vice Chair
Francoise Cleveland, AARP
Angela Eandi, DisAbility Rights Idaho
Nicole Ellis, RALF IHCA Administrator
Mary Spears, CFH Provider Representative
Rick Huber, Advocate for Individuals with Mental Illness
Doug Park, RALF Resident/Family Member Representative
Jim Varnadoe, RALF At-Large Administrator – DHW Appointee

Teleconference or Video Conference:

Cathy Hart, Idaho Ombudsman for the Elderly
Elishia Smith, RALF Resident/Family Member Representative
Pamela Estes, CFH Provider Representative

Absent:

Keith Fletcher, RALF At-large Administrator
Eva Blecha, CFH Provider Representative
Kris Ellis, IHCA Executive Director Appointee
Cheryl Gibson, CFH Provider/Family Representative
Mary Blacker, CFH Provider Representative
Shayne Burr, RALF IHCA Administrator
James Steed, Non-voting Member, Future RALF Resident

Guests:

Jamie Simpson, IDHW-RALF
Steve Millward, IDHW-CFH
Tami Cirerol, Idaho Commission on Aging

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Open Forum – Steve Lish, Chair –opened floor for visitor comments/issues from visiting attendees.

- Motion:** Adopt Minutes from October 23, 2018 meeting.
So-Moved: Rich Huber
Seconded: Tamara Prisock
Vote: Unanimously in favor

Motion: Adopt the January 22, 2019 agenda.

So-Moved: Tamara Prisock

Seconded:

Vote: Unanimously in favor

CCAC Membership – Steve Lish

Vote on CFH terms expiring January 2019

- Mary Blacker's membership expiring. Received a letter of interest from Mary Blacker. Mary presented her interest and qualifications to continue with the Community Care Advisory Council. Mary has managed a Certified Family Home since 1980. She also had the opportunity to be the director of a DDA for 14 years. She has been associated with many other providers and hopes that she can continue to bring ideas to the group.
- Wanda Warden's membership expiring. Received a letter of interest from Mary Spears. Mary has been a Certified Family Home Provider since 2015 with Self-Directed DD waiver and A&D waiver clients. She is a qualified Support Broker for Self-Directed Services since 2012. She is qualified to teach Certified Family Home classroom training hours with emphasis of Self-Directed. Volunteer President of Amazing Amigo's DBA My Places Community Events, providing events for disabled individuals. She's also a Community Support Worker since 2008, was an Administrator for Assisted Living for 2 years and was a Special Olympics Coach for 5 years.

Motion: Retain Mary Blacker as a Council member.

So-Moved: Christine Pisani

Seconded: Francoise Cleveland

Vote: Unanimously in favor

Motion: Confirm Mary Spears as a Council member.

So-Moved: Rick Huber

Seconded: Christine Pisani

Vote: Unanimously in favor

RALF Update | Jamie Simpson

Jamie provided a hand out that provided a quarterly update.

A – <u>Open Complaints</u> • B – <u>Overdue Complaints</u> • C – <u>Overdue Licensure Surveys</u> • D – <u>Overdue Initial Surveys</u> • E – <u>Pending Follow-up Surveys</u> F – <u>Complaints Taken Last Week</u> • G – <u>Complaints Investigated Last Week</u> • H – <u>Surveys Conducted Last Week</u> • I – <u>Average Months Since Last Survey</u> J – <u>Licensure Surveys Conducted Last Week</u> • K – <u>Average Months Since Last Licensure Survey</u> • SMC - # Secured Memory Care Units												
Week Ending	A	B	C	D	E	F	G	H	I	J	K	SMC
2019.01.06	43	17	63	21	9	0	1	3	12.5	2	17.4	110
2018.01.07	43	11	59	14	11	5	3	2	10.3	1	15.1	108

Survey Production: Jamie provided a recap of the number of Surveyors as 11, with 1 part-time Surveyor. These surveyors are responsible for surveying 10,360 beds in 360 buildings. Over the past 5 years, there has been a growth of over 1000 beds. She provided a January 2018 to January 2019 trend of numbers.

Consistency: When providing Administrators an opportunity to rate Surveyors on a scale of 1 to 10 (with 10 being the most consistent), 114 Administrators answered the question with an average rating of 7.75/10.

Comment Cards (2018): - *On a scale of 1-5, with 5 being excellent.*

- Surveyors were knowledgeable of the IDAPA rules and the survey process: 4.6
- Surveyors communicated issues and rules in a clear, understandable manner: 4.5
- Surveyors were respectful when explaining issues and listening to facility staff: 4.6
- Surveyors took the time to answer questions: 4.6
- Survey staff was professional in their actions and appearance: 4.8
- Survey staff was helpful and directed us on where we could get additional help: 4.5

Website Development: Design phase complete, working on population, CCAC members will be invited to participate in UAT.

2017/2018 Training:

Administrator Bootcamp	414 Participants Trained
Assisted Living Nurse Training	142 Participants Trained
Stand Alone Behavior Management Training	378 Participants Trained
Conduction Serious Incident Investigations	137 Participants Trained

- Jamie indicated that there had been some discussion about splitting Bootcamps to account for experience differences between tenured Administrators verses the new ones. She also recommended Event Management inside FLARES/Portal. She asked the Council for their thoughts on the length of time things remain on the public Portal.
- Francoise asked why Administrator History is tracked, to which Jamie answered that Administrator History has a strong correlation to Facility performance.

2019 Trainings Planned:

Basic Training for Administrators: 2-day, in Boise, by surveyors
Professional Administrator Trainings: 4-8 hours, in each hub by outside speakers
Nurse Trainings: 1.5 days in each hub

- Christine asked if Administrator History showed trainings, to which Jamie answered - 'no, only Facility tenure'.
- Mary S asked if the survey schedule was reflecting a staff shortage, to which Jamie answered – 'yes'. Adding that within the rules, FLARES was reflecting at least 5 years' worth of history.
- Doug pointed out that turnover of Administrators is very similar to the turnover of RN's. To which Jamie noted that there has been a reduction since the list has been posted online.

Flares/Public Portal:

Event Management Added to Provider Portal

*Length of time information stay s on public portal: Surveys – 5 years and at least two licensure surveys; complaints – 5 years, Administrator history – full

* Proposal – optional for facilities to list their nurse.

Motion: To list on the Public Portal 5 years of Administrator History

So-Moved: Doug Park

Seconded: Christine Pisani

Vote: Unanimously in favor

- Jamie brought up the options for listing of facility nurses. Should it be optional for facilities to list their RN? If it was only optional, would it get posted or updated properly?
- Nicole asked there is a lot of Nurse turnover, to which Jamie answered, 'Yes & No', some facilities have high turnover, while others do not.
- Steve asked if there was a correlation between performance and Shared Administrators. Jamie thought this was a great question, but that it might take some research:

➤ Action Item: Jamie will look into the #'s to see the correlation of retention of RN's and Administrators when working as Shared Administration.

- Angie asked if it would take a rule change to force RN's to be listed? Jamie answered that Yes, a rule change would be required.
- Rick added that he would like to see this happen.
- Jamie noted that nurses may proactively ask for it.
- Doug observed that rules have gotten better as they've gotten more specific.
- Jamie noted that Providers have expressed concern that if Nurses are listed, that people who call in would ask for them instead of the Administrator.

Motion: To add tracking box to FLARES Public Portal for Facility Nurses

So-Moved: Angela Eandi

Seconded: Doug Park

Vote: Unanimously in favor

CFH Update | Steve Millward

- Steve asked providers on the Council if they have difficulty getting a copy of a resident's UAI results.
- Mary S. stated that she had asked for a review in December, and an assessment wasn't done until March. It arrived in the mail and then they had to do it themselves. Support was done remotely, and the delays were their biggest frustration.
- Tamara commented that someone contacted her about doing assessments prior to admittance but then being declined. She said that she submitted it to Ali Fernandez.
- Elishia commented that they used to be able to get UAI. It would be redacted but was very useful.
- Jim explained that UAI's are more of an instrument to determine pay whereas Negotiated Service Agreements are more about care. He said that it is difficult not knowing what the pay rate is going to be adding that they are doing more interviews to help make a determination.
- Elishia added that all of this was a problem for RALF's as well.

► Action Item: Steve M: "We are considering changes to a couple of rules and I'll come back in April with a draft of rule language."

- Steve M. announced that background checks will be changing. Enhanced background checks will now be required. Levels 1 & 2 have historically gotten the scrutiny, but level 3's get through. With an enhanced, all three could be screened out.
- Mary S asked if this policy would be backdated?
- Steve M: -in answer- A check would happen every 5-years.
- Francoise asked if everyone would have one, and if every renewal at 5 years would be enhanced?
- Steve M: - in answer- Yes, all would be enhanced to catch the level 3's substantiation.
- Francoise followed up, asking how it would be determined where to check?
- Steve: -in answer- That's unknown at this time.
- Steve M. added some explanation on the reasons for a revocation, noting that this was the last new change he had through 2020.

► Action Item: Steve M, will bring formal language on rule changes associated with background checks to the next meeting.

Annual Report | Tamara Prisock

Tamara presented a draft of the CCAC Annual Report to the Idaho Legislature for Year Ending December 31, 2018.

- Steve Millward pointed out a minor change to page 12 to update Fire Extinguisher citations.
- Angie noted that comments submitted by DisAbility Rights Idaho pertaining to RALF rules might need looked at. She agreed to discuss offline with Tamara.
- Doug commented that he'd be interested in adding language about the question added to the comment card.
- Tamara asked if Steve and Christine would be agreeable to present if asked by legislature. Both agreed.

Motion: To Approve CCAC report with suggested changes.

So-Moved: Francoise Cleveland

Seconded: Mary Spears

Vote: Unanimously in favor

Listening Sessions Sub-Committee | Tamara Prisock

Sub-committee members: Tamara Prisock, lead
Christine Pisani
Doug Park
Francois Cleveland

Background: The Community Care Advisory Council (CCAC) has been discussing the possibility of holding listening sessions in various locations in the state for the purpose of gathering feedback from residents and residents' family members about the quality of care and services delivered in assisted living facilities and certified family homes. The desired feedback will assist the Council in fulfilling its duties as outlines in statute, specifically.

- To make policy recommendations regarding the coordination of licensing and enforcement standards in residential care or assisted living facilities and the provision of services to residents of residential care or assisted living facilities.
- To advise the agency during development and revision of rules.
- To review and comment upon any proposed rules pertaining to residential care or assisted living.
- To submit an annual report to legislature stating opinions and recommendations which would further the state's capability in addressing residential care or assisted living facility issues.

Proposal: Since holding listening sessions in various parts of the state would require a significant investment in terms of time and resources, the sub-committee first looked at existing or planned activities which would provide the feedback from resident and residents' families the Council is seeking. The subcommittee proposes the following to the full Council:

- Leverage the planned Community Now! Listening sessions to obtain feedback from certified family home providers, residents, and residents' families. CCAC members will attend the listening sessions planned for their geographic locations and report feedback to the full Council.
- Review data from the RALF and CFH programs related to citations involving resident rights. Data will include the number of citations and the circumstances surrounding the citations, including information provided by residents (data will not include residents' names, or the names of the facilities cited). Also explore what resident-centered data is available through the Long-term Care Ombudsman Program that could be helpful to the Council.
- Hold two of the four CCAC meetings each year in an assisted living facility. The Council would need to develop plans for how meetings held in assisted living facilities would still comply with open meeting laws as well as HIPAA requirements.
- Work with assisted living providers on the Council to identify whether resident's councils can be leveraged to gather feedback from residents and residents' families.

- Rick questioned that it might be a problem knowing who lives there.
- Tamara agreed that rules needed to be worked out still stating that "It's key to have residents and family present."

Motion: Accept, but with an amendment that there is further development to the proposal.

So-Moved: Mary Spears

Seconded: Pam Estes

Vote: Unanimously in favor

Adult Protective Service (APS) Update

2019 Legislative Session, Judy B. Taylor (Idaho Commission on Aging)

Charge: Review and revise current rules, applicable to Adult Protective Services (APS).

Update: Working closely with our Deputy Attorney General, the scope of our project this legislative session is to modify Statute 39-5302. Proposed changes to the current code include replacing the term "adult protection" to the more descriptive and nationally recognized "Adult Protective Services (APS)". We are also clarifying the definition of contractor as related to the provision of APS services. Our assigned tracking number is RS26422. If this statute passes, we can work with our Deputy Attorney general to align applicable IDAPA for presentation to the next legislative session.

Guardianship/Conservatorship, Nanci Thaemert (Idaho Supreme Court)

Charge: Deliver education regarding the current guardianship/conservatorship process.

Update: The group consists of representatives from DisAbility Rights Idaho, Adult Protective Services, Professional guardians and conservators and court staff. We have had two phone conferences and one full day meeting in person at the Idaho Supreme Court. The two main issues identified by the group include: (1) lack of training for professionals and families on the process to obtain guardianship or conservatorship, the duties and responsibilities of appointed guardians and conservators, and resources available in the community; and (2) the lack of guardians and conservators for individuals with no one to fill the role and no resources to hire a professional. In response to the lack of training, the group has proposed creating an easy to understand resource that APS staff could provide to families and stakeholders in the community. This resource will be a handout modeled after several existing educational aids. The group is currently working on the first version of the document. The group has also recommended a section on guardianship and conservatorship be included in any ongoing training of APS staff. The group has not identified any concrete strategies on the second item around lack of guardians and conservators but will continue to work with other groups with similar interests on identifying strategies to fill the gap.

Adult Perpetratory Registry, Tamara Prisock (Idaho Department of Health and Welfare)

Charge: Convene a workgroup that examines the framework needed to develop and implement an APS Registry.

Update: The group has met five times since forming in May 2018. The group has examined registries from other states and has also examined the process the Department of Health and Welfare's Division of Family and Community Services uses to maintain a child abuse registry, including the appeals process. The group is working on a proposal to shift APS investigations involving paid caregivers and the maintenance of a perpetrator registry [to be developed] to the Department of Health and Welfare, leaving the Commission on Aging's Adult Protective Services Program in place to investigate allegations involving non-paid caregivers. The group will further develop the proposal to identify statute and administrative rule changes necessary to implement the proposal as well as the resources required by the Department to take on adult protection investigations and maintenance of the registry.

Involuntary Hold Statute, Tamara Prisock (Idaho Department of Health and Welfare)

Charge: Convene a workgroup that examines the merits of either revising the current statute or developing a separate statute that enables a designated examiner to place a person with a neurocognitive disorder on an involuntary hold. (Note: reviewing placement options may be a second phase of this workgroup.)

Update: The group has met six times since it was formed in May 2018. We have reviewed the draft legislation developed by the Alzheimer's Planning Group but determined that we can leverage the existing statute related to involuntary holds for individuals with mental illness. The Deputy Attorney General for the Department of Health and Welfare's Division of Behavioral Health has drafted language that would add individuals with neurocognitive disorders as a population covered by the existing statute, and the group is currently reviewing those proposed changes.

Vulnerable Adult Statute Review, Mary Holden (Justice Alliance for Vulnerable Adults)

Charge: Convene a workgroup to examine the advantages and disadvantages of including an age-related provision in the definition of a “vulnerable adult.”

Update: Interviews with stakeholders have been conducted regarding the current definition of a vulnerable adult in Idaho. Overall, stakeholders indicate the current statute is too vague and poses a challenge when prosecuting cases. A report containing the findings and recommendations is being developed.

Statewide Collaborative Model, Raul Enriquez (Area 3 Senior Services Agency)

Charge: Convene a workgroup that establishes a collaborative network of professionals across Idaho that will strengthen APS service delivery and community partnerships.

Update: Research into the feasibility of developing Multidisciplinary Teams (MDTs) has been conducted. A report containing the findings and recommendations is being developed.

APS Grants, Tami Cirerol (Idaho Commission on Aging)

Under the “new” APS grant, activities include implementing and evaluating new tools and two interventions. The interventions – Goal Attainment Scaling and a Critical Time Intervention – will be piloted at the Area 3 Senior Services Agency, beginning March 2019.

APS Model Research (Idaho Commission on Aging)

Research into various delivery models for APS in Idaho began with a review of other state models and conversations with ACL staff. In most states, APS staff are either state employees or employees of the AAAs. Five states have hybrid models, using a mix of county employees, AAA employees, or private contractors. Next steps include collecting information on costs, software needs, and staffing associated with the various APS delivery models.

- Aaron reviewed actions items for the next meeting – see notes interspersed in minutes.
- Steve L opened the floor for any Open Forum Issues. (None brought forth.)
- Steve L adjourned meeting.

The next meeting is scheduled for April 23, 2019.