

COMMUNITY CARE ADVISORY COUNCIL

July 25, 2017

Present:

- Steve Lish ((RALF IHCA Administrator), Chair
- Christine Pisani (Developmental Disabilities Council), Vice Chair
- Tamara Prisock (IDHW Director Designee)
- Trinette Middlebrook, IDHW (Council Support)
- Angela Eandi (DisAbility Rights Idaho)
- Doug Park (RALF Resident/Family Member Representative)
- Jim Varnadoe (RALF At-Large Administrator – DHW Appointee)
- Eva Blecha (CFH Provider Representative)
- Keith Fletcher (RALF At-large Administrator)
- Mary Blacker (CFH Provider Representative)
- Leroy Smith (CFH Resident/Family Member Representative)
- Cathy Hart (Idaho Ombudsman for the Elderly)
- Nicole Ellis (RALF IHCA Administrator)
- Elishia Smith (RALF Resident/Family Member Representative)
- Wanda Warden (CFH Provider Representative)
- Kathie Garrett (Mental Health Advocate)
- Kris Ellis (IHCA Executive Director Appointee)

Teleconference or Video Conference:

- Francoise Cleveland (AARP)

Absent:

- Pamela Estes (CFH Provider Representative)
- Charlene Pickering (IHCA Appointee)
- James Steed (Non-voting Member, Future RALF Resident)
- Rebecca Solders (CFH Representative)

Guests:

- Jamie Simpson, IDHW-CFH
- Steve Millward, IDHW-RALF

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Open Forum – Steve, Chair – Steve gave a brief overview of the meeting rules and opened the floor for visitor comments/issues from visiting attendees. None were voiced.

**Motion:** Adopt the July 25, 2017 agenda & Adopt the April 25, 2017 minutes  
**So Moved:** Tamara Prisock  
**Seconded:** Keith Fletcher  
**Vote:** Unanimous

## UNFINISHED BUSINESS

### CFH Updates – Steve Millward

1. DD Assessment Discussion (Steve Millward | Michael Case)
  - a. Michael Case from Medicaid discussed DD Assessment and changes that were spurred by the settlement of the KW lawsuit. A major Medicaid resource to

assist with necessary changes is Human Services Research Institute (HSRI). They are helping to choose & establish methodology. The Supports Intensity Scale (SIS) was developed by AAIDD and it is strength based instead of the previous SIBAR which was deficit based. Michael will keep the Council updated. It has taken 2 years to get this process in place.

➤ ACTION ITEM: Trinette will invite Michael to future Council meetings (DONE 7/26/17)

2. Updates (Steve Millward)

- a. Effective July 1, 2017 the following changes to CFH rules started; 1-Termining of an admission agreement will now align with Idaho Landlord/Tenant Law; 2-Medical Foster Homes will no longer require a CFH survey in addition to the VA Medical Foster Home survey.
- b. Changes going forward: Negotiated Rulemaking had great attendance and the CFH program is writing rules currently – they are pending approval.
- c. LRA Training was found to be very valuable for the CFH staff that attended.
- d. 2409 homes, 101 opened and 90 closed. That leaves approximately 330 beds and 2900 residents.
- e. Vacancy lists are available through the CFH program.
- f. Non-payment is still the #1 deficiency.

RALF Updates – Jamie Simpson

1. Memory Care Rules & Reimbursement (Keith Fletcher)
  - a. Keith opened the discussion by stating that he thinks that the Medicaid and BFS collaboration should move forward (CCAC is not the forum for this?). Rural areas are a challenge. Keith wants CCAC-RALF to make recommendation to the Department.
  - b. Tamara stated that Medicaid and their willingness to reimburse is the challenge.
  - c. Kris Ellis supports forwarding a resolution to encourage Medicaid. Waiting on surveys-Memory units.

**Motion:** The CCAC will write motion for recommendation for Memory Care

**So Moved:** Keith Fletcher

**Seconded:** Eva Blecha

**Vote:** All

➤ ACTION ITEM: Steve Lish with the help of Kris Ellis will write a motion for Council recommendation.

2. Survey Changes in Behavioral Management Rules (Keith Fletcher)

- a. Keith proposes a rewrite of the Behavioral Management rules because of the results of his informal survey.
- b. Tamara stated that the program opened this up to the public and we received little feedback.
- c. Jamie stated the forms were very inconsistent prior to the changes made last year.

- Training is available. There were/are 6 trainings across the State also B.M. online courses are available.
- Fines occur for: 1- investigations of abuse (most common), 2-no nurse researching illness, 3-schedule admin/discharge register.

**1<sup>st</sup> Motion:** For the Council to clarify the RALF Behavioral Management rules. (Keith Fletcher)

**Amended Motion:** For the Council to review the RALF Behavioral Management rules.

**So Moved:** Angie Eandi

**Seconded:** Elishia Smith

**Vote:** All

- ACTION ITEM: Jamie Simpson will provide a date outside of the CCAC meeting to show Behavioral Management training – before October.
  - ACTION ITEM: Jamie will contact the Council and all interested parties will attend this 1 hour meeting.
  - ACTION ITEM: Jamie will provide all applicable rules and the FAQs with links. (Email sent to Council 8/18/17.)
3. Appeal Rights for Non-Core Deficiencies (Keith Fletcher)
    - a. Keith stated that he sees a need for an appeal process for non-core tags and tags that incur financial penalties and fines. There is an appeal process for core tags but not non-core.
    - b. Tamara acknowledged and asked for a solution.
    - c. Kathie Garrett asked if communications available to address issues such as newsletters, etc.
    - d. Keith asked if there was training available for surveyor training for mock surveys.
    - e. Jamie Simpson – RALF program manager – stated that there is a time to dispute findings: 1- during the process, 2- end/exit of the survey, 3-Call Jamie anytime to discuss dispute.
  4. Updates (Jamie Simpson)
    - a. 10,000 assisted living beds, 10 full-time surveyors.
    - b. 151 beds closed, 19 applications which equals 49 more beds.
    - c. Bootcamp course are available across the State as well as LRA (Labor Relations Alternatives) Training

### CCAC Annual Report | Items to Include - All

Items to include in next report:

1. Overview of the subgroups.
2. Mental health issues and difficult behaviors.
3. CFH, RALF rule changes for legislative session.
4. Emergency Crisis Placement – All hours
5. Statistical Data
6. Memory Care Updates
7. Medicaid Beds
8. Listening Process-tentative topic

### **NEW ITEMS**

Proposed Changes to Statute or Rule – Tamara Prisock

Tamara provided updates about Secure facilities and the Residential Habilitation rule changes. A temporary rule will be printed in January for Secure Facilities in Idaho.

1. CFH Rules including Elements of Care – Steve Millward.
  - a. Steve gave a review of the Summary of CFH rules.
2. Proposed RALF IDAPA Changes – Doug Park – Doug proposed some IDAPA RALF changes for 2019. For the January meeting the Council needs to be solid and finalize changes for legislature.
  - a. Resident/Family Groups
  - b. Resident/Family Member Grievances
  - c. Department Enforcement
  - d. Examination of Survey Rights
  - e. Posting of Resident Rights
  - f. Requirement of Staffing Standards

#### Action Items – Review – Steve Lish

Steve reviewed action items from the ongoing list for CCAC.

#### Review of Action Items from this Meeting – Trinette Middlebrook

- ACTION ITEM – TRINETTE & ALL – Trinette will send Doug’s proposed RALF changes to the Council for feedback. Everyone will review Doug’s proposed RALF changes and send feedback to Doug, Trinette, Steve Lish and Tamara Prisock. (Email sent to Council 8/18/17.)
- ACTION ITEM – TRINETTE – Trinette will send Council contact information to membership. (Email sent to Council 8/18/17.)
- ACTION ITEM – DOUG & ALL – Doug will modify his Listening Process handout and provide to Trinette for distribution to the Council. Everyone will provide feedback to Doug about his Listening Process handout and proposal by the October meeting. (Email sent to Council 8/18/17.)
- ACTION ITEM – JAMIE – Jamie will provide link to the BSU Study results for distribution to the Council. (Email sent to Council 8/18/17.)
- ACTION ITEM – TRINETTE & ALL – Trinette will send Wanda’s handout (Self Direction CFH Elements of Care). (Email sent to Council 8/18/17.)
- ACTION ITEM – JAMIE & TAMARA – 1. Will evaluate methods for facilities to dispute non-core citations. 2. Will consider the request from facilities that their QA staff and mock surveyors participate in surveyor training. 3. Will evaluate the idea that facilities that demonstrate a pattern of compliance be surveyed on their QA process rather than a full survey.
- ACTION ITEM – TRINETTE will email Behavioral Management On-line courses, rules and FAQs to the Council. (Email sent to Council 8/18/17.)

- ACTION ITEM – STEVE MILLWARD – Steve will send CFH Rules for distribution to Council. Everyone will give feedback to Steve M. by October. (Email sent to Council 8/18/17.)

**Motion to Adjourn:** Christine Pisani

**Seconded:** Mary Blacker

**Vote:** Unanimous

**Adjourned 4:35 p.m.**

The next meeting is scheduled for October 24, 2017