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Assisted Living Regulations

JUL 3 1 REC'D

2800.22 Application and Admission

4. The resident handbook should be approved by the Department.

Comment: Does this mean that the handbook will be submitted to the department for approval? Will all changes need to be preapproved?

Wouldn't it be easier for the department to list those items that must be included in the handbook rather than require the residences to receive approval?

INDEPENDENT REGULATORY
REVIEW COMMISSION

2800.25 Resident-residence contract

(b) The contract must run month-to month with automatic renewal unless terminated by the resident with 14 days notice or by the residence with 30 days notice in accordance with 2800.228 (relating to transfer and discharge).

Comment: Why is the residence required to give 30 days when the resident is only required to give 15 days. Doesn't seem fair.

Also, should there be a stipulation that allows for no notice by the resident if it is "health" related.

2800.104 Dining Room

(e) (2) when room service is available in a residence, a resident may choose to have a meal served in the resident's living unit. This service shall be provided at the resident's request and may not replace daily meals in the dining room.

Comment: Is the room service an additional meal of the 3 required? Shouldn't it replace the meal?

2800.132 Fire drills

(c) Residents shall be able to evacuate the entire building to a public thoroughfare, or to a fire-safe area designated in writing within the past year by a fire safety expert within the period of time specified.

Comment: If nothing changed in the past year why do we need a yearly plan by the fire safety expert? This becomes very costly and manotenous if there are no changes to the building.

2800.171 Transportation

(d) (1) (2) (3) (4) The residence shall schedule a pick up time to transport the resident to the medical or social appointment. The residence shall pick-up the resident within 15 minutes before or after the scheduled pick up time.

The resident may not be dropped off at the medical or social appointment more than 1 hour prior to the time of the appointment.

Comment: This seems too specific especially the 15 minute time frame. What if the resident requests to go earlier?

2800.220 Service provision

(2) Enhanced Core Package. This core package shall be available to residents who require assistance with ADL's.

Comment: Is the residence able to charge for these?

2800.236 Training

- (a) Each direct care staff person working in a special care unit for resident's with Alzheimer's disease or dementia shall have 8 hours of initial training within the first 30 days of the date of hire and a minimum of 8 hours of annual training relating to dementia care and services, in addition to the 16 hours of annual training specified in 2800.65.

Comment: This would seem to be a minimal amount of required time.

General requirements 2800.11-

The cost of license -\$300.00

Per bed fee- \$75.00

Comment: This seems costly to have to apply for a new license and pay additional per bed fees.

Reportable Incidents- 2800.16

Medication errors considered a reportable incident.

Comment: This should be a requirement to track them but not report immediately unless there is an adverse reaction.

Application and admission 2800.22

Facilities would be required to provide a written notice of decision denying admission and provide a basis for denial.

Comment: We accept applications and place individuals on a waiting-list as we are typically full. Does this mean that we would have to submit a letter to the applicant saying that their admission has been denied due to a full-house?

The number of living units in the residence that comply with the ADA would have to be disclosed to the resident or potential resident on admission.

Comment: Why would we be required to disclose this? What relevance does it have?

Resident-residence contract- 2800.25

Each resident shall retain the minimum personal needs allowance.

Comment: That amount is not specified.

Transportation 2800.171

Facility is required to provide transportation and escort when necessary.

Comments: This required service could be costly to provide. Can we charge a fee?

2800.16 Reportable incidents and conditions.

(a)(1) The death of a resident.

Comment: If this includes a resident who dies from natural causes this could be a paperwork nightmare. If there is no "unusual" reason for the death why would it need to be reported?

(a)(3) An injury, illness or trauma....

Comment: This too could become a paperwork nightmare. Many residents go to the hospital due to impaction, shortness of breath, etc. With multiple hospital admissions a week, this could cause the department to be inundated with unnecessary paperwork.

(a)(11) An incident requiring the services of an emergency management agency....

Comment: Does this include an ambulance?

(a)(20)(c) The residence shall report...to the resident's family and the resident's designated person.

Comment: What if the designated person is a bank/financial person should the family member be enough?

2800.17 Confidentiality of records.

Resident records shall be....

Comment: This conflicts with 2800.5 (a)(4) which lists more agencies.

2800.22 (e) Upon application for residency and prior to admission...

Comment: We have individuals on wait-lists for what could be years at a time. If we are required to distribute this information "upon application" the individual could misplace the information and the information could change prior to the actual admission to the residence. Shouldn't it be distributed upon signing of a resident agreement?

2800.25 (a) and (b)

Comment: What if the resident has a bank or financial person that manages the accounts for them. Would their signature be required if it is the resident's money being used?

2800.42 (d) ...30 days' written notice prior to ...new residence rule.

Comment: What if the rule is put into place for resident safety reason?

2800.54(4)(d) Food services or housekeeping staff may be 16 or 17 years of age.

Comment: Although most of our staff in dining services are 16 or older, we have had 14 and 15 year olds employed with work permits. These individuals have worked in independent living as well as our nursing unit with much success.

2800.56 (a) The administrator or designee shall be present in the residence an average of 40 hours or more per week...

Comment: When the administrator is off such as nights and weekend, the nurse supervisor is considered the designee. Is this allowed, especially during extended periods such as vacations?

(b) The administrator shall designate a staff person.....same training required for an administrator.

Comment: At night and on weekends the nurse supervisor is considered the supervisor designee. Are they required to have the same training as a licensed administrator?

Wouldn't that require to basically have 4 administrators-days, evening, nights and weekends????

2800.60 (d) In addition to the staffing, the residence shall have a licensed nurse on call at all times.

Comment: If there is a licensed or registered nurse on-site and on-duty at all times is an "on-call" required as well?

2800.65 (b)initial orientation program approved by the Department...

Comment: How will the program be approved? Will it need to be submitted to the department or done during annual survey? Will changes to need to be approved prior to being implemented?

2800.91 Emergency Telephone numbers.

Comment: Residences that have call systems within their phone system should not be required to do this. The residents do not like having their tables/night stands cluttered with unneeded information. If they have an emergency they push the call bell and staff responds immediately.