

DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

Working Session #1 Final Notes

Discussion of JLOSC Recommendations & Path Forward

Cisco Webex

December 21, 2021 @ 9:30 am - 11:00 am

Purpose of this Working Session:

- Review JLOSC Recommendations
- Discuss Path Forward
- Develop DNHRQAC sub-committees
- Begin Progress

I. Role Call

The following commission members were in attendance: Lisa Furber; Representative Kim Williams; Lorraine Phillips, Phd; Hooshang Shanehsaz, RPH; Jennifer McLaughlin, OT; Kyle Hodges; Tonya Burton, NHA in training; Lt Gov Bethany Hall-Long; Ed Black, Esquire; Cheryl Heiks and Norma Jones. Randy Vesprey, Esquire, was also in attendance.

Ms. Furber acknowledged JLOSC staff members, Mark Brainard, Jr and Amanda McAtee, also in attendance.

II. Purpose of JLOSC Review

JLOSC Recommendations were read aloud to the group and link to the report was provided to commission members in advance of the meeting: [jloscfinalreport2021.pdf \(delaware.gov\)](#).

Ms. Furber provided a brief overview of JLOSC recommendations. As mentioned, conversations continue with JLOSC regarding the recommendations.

III. History of DNHRQAC

Members were ok with skipping over the history of DNHRQAC.

IV. Discussion of JLOSC Recommendations:

A. Continue

*“DNHRQAC shall continue, subject to any further recommendations that JLOSC adopts.”*

This recommendation does not require any action from DNHRQAC.

B. General Statutory Updates and Technical Corrections

*“JLOSC will sponsor a bill to include statutory updates and address technical corrections to DNHRQAC’s statute, Chapter 79, Title 29.”*

This recommendation does not require any action from DNHRQAC.

### C. Administrative and Budgetary Responsibilities

*“JLOSC shall sponsor legislation specifying that administrative and budgetary responsibilities related to DNHRQAC are the responsibility of the Department of Safety and Homeland Security (DSHS).”*

This is not an action item that the full commission needs to address at this time since there are on-going discussions happening around this particular recommendation. Once additional clarity has been provided, information will be brought forward to the full commission.

Mr. Hodges asked if DSHS has been notified about recommendations. Mr. Hodges is with the State Council for Persons with Disabilities which is located under DSHS.

Representative Williams shared that she is not supportive of moving this commission out of the Courts since DNHRQAC is already established within Administrative Office of the Courts.

Ms. Furber and Ms. Bailey explained why it would be problematic to move this commission to Dept of Safety and Homeland Security: employee compensation, challenges for office of one, time spent on tasks that would take focus away from LTC environment, etc.

Lt Gov Hall-Long also shared that she has encouraged discussions to continue as to the intent of any proposed move and its impact on Eagle’s Law.

### D. Name Change

*“DNHRQAC shall explore changing its name to one more easily recognizable to long-term care residents, the public, and other stakeholders.”*

Some commission members mentioned DNHRQAC’s acronym is a bit cumbersome.

Hooshang Shanehsaz, RPH suggested commission members review the mission statement to see if it would provide any ideas for a name change. Ms. Bailey will forward mission statement to members.

### E. Criteria for Facility Visits

*“DNHRQAC shall develop a criteria and rubric for visits to long-term care facilities. This rubric shall be published to its website and included in the annual report.”*

Ms. Furber & Ms. Bailey shared thoughts about this recommendation.

As mentioned, facility visits occur for multiple reasons: groundbreaking ceremonies, events, resident council meetings, resident care plan meetings, tours, educational opportunities, etc.

Members emphasize that DNHRQAC is an advocacy agency, not serving in a role such as surveyor or inspector. The intent is to continue to build relationships with residents, families, facility staff, and others to help resolve issues/concerns or share information, instead of visiting for punitive reasons.

Members suggested the commission might want to consider developing or publishing more generalized reasons for facility visits.

During facility visits, a brochure “Introduction to DNHRQAC” and/or business card is provided to residents, family members and staff. Ms. Bailey added that some facilities actually include a copy of “Introduction to DNHRQAC” brochure as part of their admissions packet.

Dr. Lorraine Phillips mentioned DNHRQAC’s two brochures: “Introduction to DNHRQAC” & “Visiting Facilities” do not currently appear on webpage: <https://courts.delaware.gov/dnhrqac/>.

Ms. Bailey mentioned changes were made to Judicial Branch webpages. Ms. Bailey will check with Judicial Information Center (JIC) and ask that both brochures be added to DNHRQAC webpage.

Representative Williams suggested DNHRQAC might want to consider proposing legislation, so DNHRQAC information appears on LTC facilities webpages and in all LTC admission packets.

#### F. Eagle’s Law Update

*“DNHRQAC shall engage the necessary stakeholders to report and recommend to the Department of Health and Social Services and the General Assembly needed changes to Eagle’s Law, Chapter 11, Title 16 of Delaware Code, no later than January 31, 2022.”*

Due to time constraints, further discussion regarding this recommendation will occur in the near future.

#### G. Staffing Ratio’s at Assisted Living Facilities

*“DNHRQAC shall conduct the required research to report and recommend to the Department of Health and Social Services and the General Assembly the necessary policy to adopt staffing ratios at assisted living facilities no later than January 31, 2022.”*

Due to time constraints, further discussion regarding this recommendation will occur in the near future.

#### H. Annual Report Updates

*“DNHRQAC shall add the following information to its annual report:*

- a. Rubric, criteria, findings, and recommendations from facility visits.*
- b. Any recommendations, including all correspondence, made to the Department of Health and Social Services, the Governor, the General Assembly, and other stakeholder organizations.*
- c. Summary of legislative lobbying efforts, including the Commission’s position on legislation and regulations effecting long-term care residents.*
- d. Policy, advocacy, and legislative goals for the upcoming year.*
- e. Breakdown of Executive Director duties including the percentage of time devoted to each duty.”*

Due to time constraints, further discussion regarding this recommendation will occur in the near future.

I. Follow Up Reporting

*DNHRQC shall submit a status report, no later than January 31, 2022, updating the JLOSC on the implementation process of the adopted recommendations as well as a succession plan for the role of Executive Director, including a job description.*

Due to time constraints, further discussion regarding this recommendation will occur in the near future.

J. Release from Review

*DNHRQAC is released from review upon enactment of JLOSC sponsored legislation and submission of the status report.*

Due to time constraints, further discussion regarding this recommendation will occur in the near future.

K. Create DNHRQAC Sub-Committees

Due to time constraints, further discussion regarding this recommendation will occur in the near future.

L. Action Items

- Ms. Bailey will forward DNHRQAC's mission statement to commission members.
- Commission members will review mission statement and brainstorm any name change ideas.
- Ms. Bailey will forward DNHRQAC "Introduction" and "Visiting" brochures to commission members.
- Ms. Bailey will check to see if both brochures appear on DNHRQAC webpage and request brochures to be add to webpage if they are not.

M. Working Session #2 - Tuesday December 21, 2021

The next Working Session will be held on Tuesday December 21, 2021 (virtually).

Respectfully submitted,

Margaret Bailey  
DNHRQAC  
Executive Director