

DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

Herman M. Holloway, Sr. Campus, Main Bldg., Room 301

1901 N. duPont Highway, New Castle, DE

Meeting of January 13, 2004

**MINUTES**

Commission Members Present: Patricia C. Engelhardt; Karen E. Gallagher; Joseph M. Letnaunchyn; Rep. Pamela S. Maier; Thelma G. Mayer; Thomas P. McGonigle, Esq. (Chairman); Yrene E. Waldron.

Commission Members Absent: Vicki L. Givens; Sen. Robert I. Marshall; Brian L. Posey; Dr. McKinley Wardlaw, Jr.

Others Present: Carol Barnett and Beverly Morris (Division of Services for Aging & Adults with Physical Disabilities); Les DelPizzo, (Quality Insights of Delaware); Lisa Henry (Delaware Healthcare Association); Laura Waterland, Esq., Senior Staff Attorney (Disabilities Law Program); Carol Ellis, Director, Katie McMillan, Deputy Director and Joan Reynolds, Staff Support, (Division of Long Term Care Residents Protection, DLTCRP).

1. Call to Order.

Chairman McGonigle called the meeting to order at 10:10 a.m.

2. Approval of the Minutes of the November 12, 2003 meeting.

Under Section Old Business/New Business, referring to the change in the number of bed-hold days, it was noted that the decision was made to have 7 bed-hold days which will become effective 10 days after it is published as a final regulation. The minutes were approved with this addition.

3. Discussion of

a. NHRQA Commission goals for 2004

Chairman McGonigle asked Commission members to discuss the goals they want to pursue during 2004 and set priorities for a more aggressive agenda. He stated that comparing the Commission activity of 2003 with previous years, it was a lighter year. Suggested DNHRQA goals for 2004 were:

1. More volunteering in facilities - this effort could coordinate with the Trained Feeding Assistants.
2. Organize visitations - Commission Members visiting nursing homes, to people with disabilities living in the community and assisted living facilities with a follow-up report to the Commission.
3. Eagle's Law – discussion followed about the statement, “enhanced enforcement of Eagle's Law”. To clarify this language, the following was recommended, “To monitor the enforcement of Eagle's Law so as to ensure minimum staffing compliance and make appropriate recommendation as needed”. Members were in agreement with this concept of monitoring Eagle's Law.
4. Length of hospital stays – It was recommended that the Commission monitor the ability of hospital patients to gain access to long term care.
5. Expand the scope of the Commission to look at all existing elder and disabled care services.
6. Delaware Healthcare Commission - has funded initiatives to improve access to nursing care, attracting more individuals into training programs. It was recommended that DNHRQA Commission monitor the results of the recommendations of the Nursing Shortage Task Force, review the statistics and request updates.
7. Assisted Living: Narrow down to which issues the Commission should focus upon, whether it should be monitoring, education, how other states are handling assisted living issues, etc. Ms. Ellis said there is concern that some assisted living facilities are turning into nursing homes without the appropriate levels of skill care provided. Separate elements listed in the Regulations were implemented to prevent individuals who have or develop specific conditions from entering into or staying in Assisted Living. Ms. Ellis stated that LTCRP is presently collapsing the skilled and intermediate regulations into one set of regulations. Since the regulations have been in place only since October 2002, it would be advisable to focus on Assisted Living the latter part of 2004.
8. NCIC: The Commission needs to look at the amendment form of S.B.119 with Senate Amendment 1 to make sure it still meets the criteria of the FBI.

9. It was suggested that the Commission invite facilities to report their successes and enjoyable activities taking place and to share these ideas with other facilities, the General Assembly, and other interested persons.
10. Addressing pain management: This is one of the initiatives being studied by Quality Insights, the results have been monitored and updates on the indicators they are working on can be requested.

Discussion followed about preparing a report on the outcome of goals listed in the 2001-2002 Annual Report. Many Commission goals' issues could more realistically be accomplished by working with other groups who are already involved. Chairman McGonigle stated that the way to be successful in attaining large, complex goals is to form subcommittees to do the study and in depth work then report back to the Commission. Chairman McGonigle will contact Commission members who are absent and get their input to prepare a list of revised goals based on this meeting. The Commission should aim for a clear, shorter and more concise version of Commission goals to be recirculated.

b. Proposed Regulations for Training of Paid Feeding Assistants

The intent of these regulations is to supplement the Federal regulations and when these regulations are adopted both regulations apply to Delaware. Most training requirements in these Delaware regulations reflect pertinent portions of the Certified Nurse Aide training statute and regulations already in effect. Ms. Waldron said she has worked with the American Health Care Association to develop a manual for facilities to use in the training of feeding assistants. Facilities are being urged to give training to families and volunteers who are currently feeding residents and do not have any of this background.

A general discussion of issues raised by these proposed regulations followed. In conclusion, Chairman McGonigle stated that facilities would present their proposed programs to the Division of Long Term Care and at that time try to obtain the right blend or the right mix between the facilities, the residents and the feeding assistants. This is the public comment period as these proposed regulations have not yet been promulgated. Comments by the Commission will be included in a letter with copies sent to all members.

4. Old Business/New Business

5. Public Comment

Mr. DelPizzo, Quality Insights, said the data gathered from the Assisted Living Uniform Assessment Instrument used to evaluate each resident on an ongoing basis would make an excellent data pool for doing some quality research. Chairman McGonigle said presumably that it would also allow a measure of acuity levels of residents coming into Assisted Living. It could be a base line for use in a future computer program.

6. The next meeting will be February 10, 2004, at Herman M. Holloway, Sr., DHSS Campus, Main Building, Room 301 at 10 a.m.

7. Adjournment

The meeting was adjourned at 11:55 a.m.

Final Minutes approved March 9, 2004