

DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

Meeting of June 11, 2002
Herman M. Holloway, Sr. Campus, Main Bldg., Room 301
1901 N. duPont Highway, New Castle, DE

MINUTES

Commission Members Present: Patricia C. Engelhardt; Karen E. Gallagher; and Phyllis R. Peavy.

Commission Members Absent: John A. Fogelgren, Jr.; Rep. Pamela S. Maier; Sen. Robert I. Marshall; Thomas P. McGonigle, Esq. (Chairman) and Dr. McKinley Wardlaw, Jr.

Others Present: Tim Hoyle, Long Term Care Ombudsman (DHSS Division of Services for Aging and Adults with Physical Disabilities, DSAAPD); Steve Tanzer, Administrative Assistant to Sen. Marshall (State Senate); Sarah E. Thankachan (Delaware Healthcare Association); Yrene E. Waldron (Delaware Health Care Facilities Association); Daniel P. Jones, Jr., Chief Operating Officer, Cynthia Mannis, R.N., Director of Performance Improvement, and Edward R. Sobal, D.O., Director, Health Care Quality Improvement (Quality Insights of Delaware); Carol Ellis, Director, and Mitzi Murphy, Community Liaison (DHSS Division of Long Term Care Residents Protection, DLTCRP)

1. Call to order

Phyllis Peavy, Acting Chairman, called the meeting to order at 10:00 a.m. Chairman McGonigle had notified the Commission he would be unable to attend this meeting.

2. Approval of the Minutes of the May 14, 2002 meeting

There was not a quorum present of Commission Members so no vote was taken on the Minutes of May 14, 2002.

Mr. Tanzer was given the floor to speak at this time due to the fact he would be leaving the meeting early. Mr. Tanzer presented information from Sen. Marshall with a request that it be placed on the next meeting's agenda for the Commission's consideration and support. On June 6, 2002, Sen. Marshall filed a petition for Regulation Making Proceedings with the Department of Administrative Services requesting that the Department of Health and Social Services promulgate rules and regulations to insure that 100% of the newly appropriated Medicaid funds go to direct care as required by State law. He then read the Statement of Purpose and the supporting information which stated that DHSS has taken no action to insure that Medicaid funds are being spent for primary care in the correct manner by classification as required by State law. Currently, the Medicaid office makes no effort to verify that these funds are used in the correct manner. A copy of the petition will be provided to the Division for dispersal among Commission members.

3. Presentation Regarding the Centers for Medicare & Medicaid Services' (CMS) Nursing Home Public Reporting and Quality Initiative - Quality Insights of Delaware (Daniel Jones, Edward Sobel, and Cynthia Mannis)

In his introduction, Mr. Jones said Quality Insights (formerly known as the Peer Review Organization) under this particular contract is funded by CMS to do quality improvement work in Delaware nursing homes. Mr. Jones handed out Quality Insights brochures that explain the program. He further described the charge and activities of Quality Insights as noted in the brochure. (Brochure attachment is with these Minutes for members not in attendance). Dr. Sobel stated that improving care in nursing homes is politically a top priority project for HHS Secretary Thomas Scully and the Bush administration. There is presently a pilot project of 6 States sharing information on 10 quality indicators. At the conclusion of the pilot program a statistical improvement in what occurs in nursing homes is expected. It is unknown at this time if CMS will select all or some of the quality indicators as the final 10 measures. In Delaware a small corps of nursing homes will be selected to partner with Quality Insights on this project set to last three years. Ms. Mannis explained new changes by CMS in the 6-States Pilot Project. CMS will provide data on the measures and rank Delaware nursing homes. Originally, this was to be a paid ad published in The News Journal. Now, CMS found in the 6-States Pilot program that publishing the ranking had no impact so it's unknown if this data will be published or not. Ms. Mannis asked for volunteers from this Commission and all the different groups working for quality improvement in nursing facilities, to help form a

steering committee. This committee would help Quality Insights steer their project, help with looking at data received from CMS, and decide which of the 10 measures and which nursing facilities to focus upon. Quality Insights will bring best practices from the 6-States Pilot Program to Delaware. After establishing the Steering Committee and selection of nursing homes for the project, workshops will be held statewide for all nursing homes for training in best practices, policies, etc., learned from the 6-States Pilot Project.

During a question and answer period, Ms. Mannis said this project applies to all Medicare and Medicaid certified beds, however, changes made in a facility will affect all residents. Data issued by CMS is State specific. Quality Insights is a 2-State Quality Improvement Organization (QIO) working in West Virginia and Delaware. The pilot group, still in operation, will be sharing information in several meetings to be held with Quality Insights. Money for the Delaware contract will be available August 1, 2002. Quality Insights will be a presence in and work with the staff on site of the 10 selected facilities. If other nursing homes want to be included Quality Insights will try to accommodate but their resources are limited. Commission members and others offered favorable comments endorsing the Quality Insights concept.

4. Other/old business

- Ombudsman Training - The Friendly Visitor Program - Mr. Hoyle announced training meetings are for volunteers and open to key stakeholders.
- Comment letter sent to CMS on proposed rule for paid feeding assistants - Letter dated May 24, 2002 and signed by Thomas P. McGonigle, Esq., Chairman, was read aloud and copies were distributed.
- Status of Commission report on nurse supervision time project - Letter dated May 31, 2002, sent to Governor Minner, State officials, all State Senators and Representatives and signed by Thomas P. McGonigle, Esq., Chairman, was read aloud and copies were distributed.
- Post Survey Meeting Schedules - copies distributed to Commission members
- An updated list of members distributed to Commission members. In order to send the minutes, agenda, and information more timely the support staff requested members to give their preferences for receiving Commission material by either e-mail, fax, or U.S. Mail.

A status report was requested about two outstanding previous agenda items: Memorandum of Understanding (MOU) and brochures: *Visiting Long Term Care Facilities* and *Introduction to the Delaware Nursing Home Residents Quality Assurance Commission*. Ms. Peavy stated that as of May 22, 2002, the MOU has all the required signatures with the exception of a few police chiefs who are currently being contacted for their signatures. The introduction brochure printed by Graphics and Printing will be published after July 1. The visitation brochure will be computer generated by the Division and copies brought to the next Commission meeting.

Ms. Peavy gave this e-mail address IRCuser@state.de.us for people with disabilities having difficulty contacting Ombudsman or the State. For any similar concerns Mr. Hoyle gave his address thoyle@state.de.us.

7. Next meeting

The next meeting is scheduled for July 9, 2002 at 9:30 a.m.

8. Adjournment

Acting Chairman Phyllis Peavy adjourned the meeting at 11:15 a.m.

FINAL MINUTES Approved at July 9, 2002 DNHRQA Commission meeting