

# DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

Herman M. Holloway, Sr. Campus – Room 301  
1901 N. DuPont Highway, New Castle, DE

Meeting of June 13, 2006

## MINUTES

Commission Members Present: Patricia C. Engelhardt; Walter E. Ferris; Karen E. Gallagher; Vicki L. Givens; Joseph M. Letnaunchyn; Brian L. Posey; Yrene E. Waldron

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

Others Present: Steve Autman (Consumer); Michael Dura (Delaware Healthcare Association); Sean Finnigan (State Senate); Meghan Gorman, (Community Legal Aid); Carol Lovett Psychiatric Social Worker III (DPC); Beth Miller (THE NEWS JOURNAL) Victor Orija, LTC Ombudsman (Division of Services for Aging and Adults with Physical Disabilities); Mary Rodger, Project Coordinator for Nursing Homes (Quality Insights of Delaware); Lisa Zimmerman (Division of Medicaid & Medical Assistance DHSS); Tom Murray, Deputy Director; Mitzi Murphy and Joan Reynolds, Support Staff (Division of Long Term Care Residents Protection DHSS).

### 1. Call to Order

The meeting was called to order at 10:10 AM by Acting Chairman, Brian Posey.

### 2. Approval of the Minutes of the meetings of March 14, 2006 and April 11, 2006

The Minutes of March 14, 2006 were approved as written.

The Minutes of April 11, 2006 were approved as written.

### 3. Discussion

- Update – Administrative Staff hiring for DNHRQA Commission

The Acting Chairman will respond back to Chairman McGonigle that the Commission is still very concerned about trying to move forward with filling the position. If there is anything the Commission can do before June 30 if that is the deadline, it can be communicated to members by e-mail. Discussion followed concerning questions of how supervision will be handled due to the isolation of the designated office space. Possibilities discussed for making the position more attractive included flexible hours, working remotely and working on the road.

- Review Sunset Committee Recommendations

Copies of the document, "Recommendations for the Division of Long Term Care Residents' Protection" was given to members. Acting Chairman Posey suggested that since the Commission has not seen the document before this meeting that members should be prepared to discuss the recommendations in detail at the next meeting. The DNHRQA Commission is stated specifically in the document so it will be upon the Commission to react and respond. Mr. Autman, who attended the Sunset Committee review of DLTCRP last week, stated that he understood that the regulations have the force of statutes. In general, it appears as though they are going to incorporate them into the revised regulations. This means there will be a posting of the proposed regulations followed by a comment period.

Ms. Gallagher said that the Sunset Committee also reviewed the Delaware Department of Transportation. She requested help for her problems in getting timely pick ups from DART. Ms. Waldron made a recommendation that the Commission request a copy of the agency's report and a copy of the testimony given. There were many advocates including residents of nursing homes who have had the same issues. She suggested that the Commission find out how this issue was resolved so that it could be discussed at the next meeting. It was suggested that a DelDot representative be invited to the Commission to review the agency's rules and guidelines and how change can be effected so that pickups can be reliably on time. Discussion followed concerning a Commission member's participation and voting during meetings via teleconferencing as stated in the By-Laws for the DNHRQA Commission (Article IV, Meetings). The availability of conference call equipment will be checked.

- DNHRQA Commission Subcommittee Reports
  - Agency Review Subcommittee – Chair, Tom McGonigle  
There has been no meeting since its inception.
  - Legislative/Regulatory Subcommittee – Chair, Sen. Marshall  
There has been no meeting since its inception.
  - Quality Initiatives Subcommittee – Chairs, Pat Engelhardt and Brian Posey  
There have been three meetings. At the next meeting the Subcommittee wants to come to a conclusion as to what the subcommittee can do to initiate positive movement. The QI Subcommittee feels that the Commission needs some direction and they want to move forward with that. This could mean a variety of things i.e. looking at best practices; and potential Federal grant opportunities that may touch on quality which is the charge of the subcommittee. A subcommittee meeting is scheduled to follow the Commission meeting of July 11, 2006.

Relative to quality initiative, Ms. Waldron will e-mail a program announcement to Commission members for an educational seminar to be held July 19, 2006. It will feature the DVD, "Almost Home" and a discussion in Person Directed Care. A trade show announcement will also be sent to interested Commission members. This meeting will feature a speaker from Minnesota who will focus on Culture Change and Person Directed Care. At the next meeting Ms. Givens will update the subcommittee on the Culture Change project in connection with Insights of Delaware and Life Care at Lofland Park.

#### 4. Old Business/New Business

##### New Business

Mr. Posey attended an aging conference recently that discussed the use of technology to improve the quality of care. He described a system where the facility communicates residents' updates to family members on a daily basis. Other technologies discussed included the ability of a doctor to diagnose from a distance; internet systems to monitor a patient's activities, condition, and personal available staff. This will provide a comprehensive picture of the patient electronically. An electronic call bell system that ultimately reports to administrative personnel if not acknowledged in a timely manner is installed in Life Care at Lofland. At this facility staff will be wearing badges identifying exactly where each individual is working and the amount of time spent at that location. Paperless documentation using touch screens is presently used in other facilities with plans to supply individual PDA's for each aide and nurse. Surveyors will be given an access code to use computer software. A request was made for the Commission to meet at a facility incorporating new cutting edge technology, to see how this change is occurring. Ms. Waldron will check with the Newark Manor facility. Ms. Waldron emphasized that regardless of how excellent the tracking, it all depends on how committed the staff is and how well they are managed by the leadership.

Ms. Engelhardt reported that on CNA Day, June 15, some members of her group will go to Legislature to be recognized. Job Corp will be sending Nurse Aides.

Hockessin Hills is under new ownership and is now called Regal Heights.

Mrs. Waldron announced that on June 14, 2006, the Delaware Health Care Facilities Association in partnership with Delaware Emergency Management Agency (DEMA) and Public Health will hold a disaster preparedness conference at the Dover Fire School. After hurricane Katrina, questions have arisen concerning Delaware's preparedness, as a coastal state, to handle a landfall hurricane. Evacuation planning for nursing home facilities and disaster training will be studied with plans implemented.

A request for information on the state version of nursing home compare will be forwarded to the Division.

#### 5. Public Comment

Referring to the JSC Recommendations to LTCRP, Mr. Autman asked how family members or guardians of facility residents are notified of the IDR process. He requested clarification of the recommendation regarding representation of the resident. Referring to HB 450, he asked the Commission to consider the possibility of extending the statute of

limitations to increase protection for the elderly. It is important for residents to be protected beyond the proposed statute of limitation. The Commission was asked to consider these two aspects: look at what protection there is and see what might be lacking.

Discussion followed about requiring criminal background checks for persons admitted as residents to long term care facilities.

Ms. Waldron will ask Cokesbury for permission to hold the Commission meeting at their facility in September.

6. Next meeting will be Tuesday, July 11, 2006, at 10:00 AM.  
The location will be DHSS Campus, Main Building., Room 198.

7. Adjournment  
The meeting was adjourned at 11:25 AM.

Approved as written on Tuesday, July 11, 2006, these are the FINAL Minutes for June 13, 2006.