

DELAWARE NURSING HOME RESIDENTS  
QUALITY ASSURANCE COMMISSION

Meeting of September 10, 2002  
Kentmere Nursing Facility  
1900 Lovering Avenue  
Wilmington, Delaware 19806

MINUTES

Commission Members Present: Patricia Engelhardt; John Fogelgren; Karen E. Gallagher; Vicki Givens; Sen. Robert Marshall; Thomas P. McGonigle, Esq. (Chairman); and McKinley Wardlaw, Jr.

Commission Members Absent: Rep. Pamela Maier and Phyllis Peavy

Others Present: Iris Foss, Jean Gayle and Tiffany Volovich (Kentmere); Joseph M. Letnaunchyn (Delaware Healthcare Association); Brian Posey (AARP); Yrene Waldron, (Delaware Health Care Facilities Association); Carol Ellis, Director, Mitzi Murphy and Joan Reynolds, Staff Support (DHSS Division of Long Term Care Residents Protection, DLTCRP)

1. Call to order

Chairman McGonigle called the meeting to order at 10:00 a.m. A moment of silence was observed in memory of victims of the attack on the World Trade Center in New York City.

The Chairman introduced and welcomed Vicki Givens, Administrator of Lofland Life Care in Seaford, Delaware who has been appointed by Governor Minner to serve a 3-year term on the Delaware Nursing Home Residents Quality Protection Commission. Chairman McGonigle briefed Ms. Givens on the Commission's background.

2. Approval of the Minutes of the July 9, 2002 meeting

The minutes were approved as written.

3. Quality Insights of Delaware - Dan Jones

Update presentation of the CMS Quality Improvement Project

Mr. Jones passed to each member an update reflecting new activities and information gained since presenting an overview of the public reporting quality initiatives of CMS from nursing homes at the June Commission meeting. Mr. Jones, in explaining a QIO (Quality Improvement Organization) said CMS has contracted with private organizations in each state & territory throughout the United State. Each state has a QIO and they are responsible for beneficiary quality improvement in various health care settings and beneficiary protection. Since 1973 CMS has been engaged in this type of quality improvement work. This work is broken up into 3-year contract cycles called scopes of work, this is the second contract cycle since the implementation of CMS's quality improvement program. CMS is interested in the nursing home initiative that is basically composed of two components: 1) Public reporting quality indicators for nursing homes; 2. To do quality improvement work in the nursing home setting.

The data will be reported in newspaper advertisements that contain quality improvement indicators for each state nursing facility. Target date for advertising is October 23, 2002 and website data should be up by October 15<sup>th</sup>, viewed at [www.medicare.gov](http://www.medicare.gov), clicked on Nursing Home Compare. The purpose of the data is to assist Medicare beneficiaries in making educated selections of nursing homes or long term care facilities by showing various quality indicators. This data is also used to encourage and assist facilities in selecting projects for improvement. The kickoff event will be a teleconference and webcast sponsored by CMS, on September 20, 2002, at Cokesbury Village with the Steering Committee meeting at 11:30 a.m. The Steering Committee as an advisory council will help move the project forward, eliminate roadblocks, champion the project, and assist in choosing indicators. Updating from July, Mr. Jones stated some of the indicators included are: physical restraints and infections; failure to manage delirium; and improvement in walking. These indicators were chosen from a list of hundreds compiled by the National Quality Forum, a group of clinicians and experts in quality improvement. Mr. Jones said the September 20<sup>th</sup> meeting will include choosing a total of three measures from a list of eight. It was questioned if the Steering Committee or CMS will make that choice. Mr. Jones will get back

to the Commission with that information. After measures are chosen facilities will be recruited to participate in the projects and selected by the end of the year.

#### 4. Discussion of topics and assignments for the annual NHRQA Commission report

The annual report to be completed by the end of 2002 should include the Commission's activities from its inception to the present. The report should briefly describe what the Commission has done, been involved with and future trends it has observed. Chairman McGonigle asked those Commission members who volunteered, to put together a first draft by the October 8<sup>th</sup> meeting.

1. Agency reviews - Steve Tanzer and John Fogelgren.
2. Studies completed - Phyllis Peavy
3. Regulations review - Pat Engelhardt
4. Outreach to nursing homes - Pat Engelhardt
5. Trends - Chairman McGonigle
6. Goals for upcoming year - Chairman McGonigle

The report should be completed and given to the General Assembly by the end of the year.

John Fogelgren and Dr. Wardlaw will represent DNHRQA Commission at the Residents' Rights Rally to be held the week of October 6 - 12. Sandra Dole has contacted Chairman McGonigle to discuss the Commission's participation in this event On October 7<sup>th</sup>, 1-3 p.m. Chairman McGonigle asked Mr. Fogelgren to discuss the Commission's role with Ms. Dole.

#### 5. Public comment

Presently, due to the illness of surveyors, no one is surveying assisted living facilities while the Division is attempting to finish annual surveys. The Division is affected by a salary deficit, short staffing and hiring freeze. Since July 1<sup>st</sup> one nursing position has been filled but resignations have occurred. By permission of the Secretary, the Division is now recruiting for two nurses, upstate and downstate depending on the cert lists. An October update on this problem was requested.

Chairman McGonigle announced that John Fogelgren's wife, Katharine Fogelgren, R.N., has been hired by DLTCRP. Mr. Fogelgren offered to resign from the Commission if this presents a conflict of interest. It is the view of the Chairman that this is not necessary. If a potential conflict develops between the Commission and Division, Mr. Fogelgren offered to recuse himself.

#### 6. Next meeting

The next meeting will be held on Tuesday, October 8, 2002. The meeting will start at 10:00 a.m. in Conference Room 301, Main Building, Herman M. Holloway, Sr. Campus, New Castle.

#### 7. Adjournment

Chairman McGonigle adjourned the meeting at 11:15 p.m.

FINAL MINUTES approved at the October 8, 2002 meeting