

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 November 12, 2003

**MINUTES**

Commission Members Present: Patricia C. Engelhardt; Vicki L. Givens; Joseph M. Letnaunchyn; Thomas P. McGonigle, Esq. (Chairman); Brian L. Posey; Yrene E. Waldron; Dr. McKinley Wardlaw, Jr.

Commission Members Absent: Karen E. Gallagher; Rep. Pamela S. Maier; Sen. Robert I. Marshall; Thelma G. Mayer

Others Present: Sandra Dole, President (Delaware Council of Activity Professionals); Tim Hoyle, Senior Administrator and Victor O. Orija, Social Service Administrator (Services for Aging & Adults with Physical Disabilities DSAAPD); Mary Roger, (Quality Insights of Delaware); Steve Tanzer, Legislative Aide to Senator Marshall; Laura Waterland, Esq., Senior Staff Attorney (Disabilities Law Program); Carol Ellis, Director, Mitzi Murphy 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. He introduced new Commission Member, Joseph M. Letnaunchyn, President and CEO of Delaware Healthcare Association.

2. Approval of the Minutes of October 14, 2003 meeting.

The Minutes of October 14, 2003 meeting were approved as written.

3. Presentation of "Delaware Passport to Independence Project: Helping People Transition Out of Nursing homes" by Mr. Victor Orija, Social Service Administrator, Division of Services for Aging and Adults with Physical Disabilities.

Mr. Orija, Project Manager, gave a brochure entitled "Delaware Passport to Independence" (DPI) to Commission members. Mr. Orija explained the Delaware Passport to Independence is a federally funded pilot project led by DHSS and the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD). Mr. Orija asked for Commission support, input, and suggestions.

The State has been transitioning residents into state homes, group homes and from nursing homes into intermediate homes. What is different about this program is that DPI is enlisting the expertise of diverse state agencies, advocacy organizations, providers of long term care, and the individual consumers. Mr. Orija reviewed the Olmstead Ruling which states, "States must provide community-based services for persons with disabilities who would otherwise be entitled to institutional services." If the state does not provide, it would be discrimination against people with disabilities and it would be a violation of the Americans With Disabilities Act. The placement needs to be appropriate and the cost of providing the same level of service in the community should not exceed the cost of the same level of services in an institution.

Mr. Orija listed the mandated goals of DPI: 1) To identify, inform and assist nursing home Medicaid residents to move from nursing homes and institutions into the community. 2) To look at all the systems within the state, the types of housing, Medicaid, transportation, employment and workforce retention. It is mandated now for DPI to look at those nursing home residents who want to transition into the community and at the same time look at all the systems statewide and suggest the necessary changes. DPI needs to investigate some sustainable changes that will improve the quality of the system and build into it flexibility and funding. Mr. Orija said Colorado is a model of a voluntary integrated system. Describing the DPI program, Mr. Orija said the one-time federal grant of \$566,000 extends from October 2002 thru September 2005.

Mr. Orija said his main focus is the transition process from the nursing home into the community. Outreach means contacting all the nursing homes in Delaware and identifying those Medicaid residents who are interested in transitioning into the community and educating them about the available options. Each individual assessment is a 2-1/2 year process. The program is looking at how Medicaid can be made more flexible. At any time a resident can decide against transitioning into the community. Mr. Orija stated that the contract for evaluation of the DPI program was awarded to the Center for State Health Policy of Brunswick, New Jersey. Mr. Orija wants to be able to tell residents that they have an option and do not have to go directly to a nursing home from the hospital.

Developmentally disabled and older people are included in this program. The program can have 15 residents however, no one has been transitioned into the community yet. Four individuals have passed the assessment and DPI is looking for a suitable place for them. It was stressed that when a resident goes out into the community to make sure they and their relatives understand the importance of the individual's service plan. What is not in the service plan will not be done for the resident. Ms. Dole stated there is a need for the program to access and coordinate the informal resources in the community. Since it is not known if CMS will continue the grant after 2005, Chairman McGonigle said that using informal resources in the community might be a way to leverage the program's resources.

#### 4. Old Business/New Business

Chairman McGonigle discussed his correspondence with DART bus service in reference to a proposed bus stop around Troop 2 near Bear. Safety issues for both the bus and passengers are being reviewed.

Discussion followed about the change in the number of bed-hold days. The decision has been made to have 7 bed-hold days and will be effective 10 days after the final regulation is published on December 1, 2003.

Chairman McGonigle asked Commission members to review the "Delaware Nursing home Residents Quality Assurance Commission Annual Report 2001-2002", dated April 15, 2003. He asked members to think about some of the things they want to accomplish during the next several months. The Commission has a broad mandate and in the past has invited other agencies to share with members what they are doing relative to the safety and health of nursing home residents. There are several ideas that are discussed in the Report. Chairman McGonigle asked that members focus on the top three ideas presented and come up with a plan. He stated that he didn't want to meet just for the sake of meeting, that the Commission needed to start thinking about other areas. He requested that Commission members come up with a game plan for further action at the next meeting.

#### 5. Public Comment

Ms. Dole reported she has photos from the Senior Rights Rally to give to the Commission. Work has begun on next year's event which will be national. Mr. Posey reported that AARP will begin a series of workshops on Caring for Loved ones. The series will cover about 9 topics.

6. The next meeting will be at Herman M. Holloway, Sr., DHSS Campus, Main building, Room 301.

#### 7. Adjournment

The meeting was adjourned at 11:36 AM.

Final Minutes approved on Tuesday, January 13, 2004.