

DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

Herman M. Holloway, Sr. Campus – Room 198

1901 N. DuPont Highway, New Castle, DE

Final

Meeting of November 13, 2007

MINUTES

Commission Members Present: Brian L. Posey; Yrene E. Waldron; Patricia C. Engelhardt; Dr. McKinley Wardlaw, Jr; Thomas P. McGonigle, Esq. (Chairman); Wayne A Smith; Representative Joseph G. DiPinto; Karen E. Gallagher.

Commission Member Absent: Representative Pamela S. Maier; Vicki L. Givens; Senator Robert I. Marshall.

Others Present: Margaret E. Bailey; Eileen Kelly, Assistant Deputy Attorney General for DNHRQAC; Harry Hill, Director of DMMA; Rosanne Mahaney, Deputy Director of DMMA; Lisa Zimmerman, Chief of Operations of DMMA; Tom Murray, Deputy Director of DLTCRP; Candace Brothers, Aid to Ms. Gallagher; Laird Stabler, Laird Stabler and Associates; Sean Finnegan, Legislative Hall.

1. Call to Order:

The meeting was called to order at 10:02 AM by Chairman Thomas P. McGonigle.

Representative Joseph G. DiPinto was introduced as the newest member of the Commission. He was appointed by the Governor on October 26, 2007 to serve a 3 year term as an Advocate for the Elderly.

Ms. Eileen Kelly, Deputy Attorney General Representative for DNHRQAC, was also introduced at the meeting.

2. Approval of Minutes of the meeting of:

September 11, 2007 meeting minutes were approved without changes to the draft.

3. Discussion of:

QART Report

Tom Murray, Deputy Director of DLTCRP, presented 2007 third quarter Quality Assurance Review Team results. There were fourteen facilities sampled, in which eight contained a "G" level deficiency citation. After team review, two "G" level citations that were administered during June 16, 2007-September 15, 2007 surveys and inspections were downgraded.

Mr. Murray explained how deficiency levels are determined (scope/severity) for commission members. He further mentioned the QART Report contains final review team's citation results. Facility appeal results do not appear on the report. Ms. Bailey will email the scope/severity grid to Commission members.

Mr. McGonigle asked Mr. Murray if the Commission could review the number of citations per facility per year.

Mr. Smith suggested that adding a third column to the QART Report to include a total for "G" level deficiencies would be helpful.

Long Term Care Psychiatric Care

Mr. Murray mentioned that the State is looking at initiating a program or curriculum to assist facilities in dealing with psychiatric issues.

Ms. Waldron stated that DHCFA recently collected information from Delaware nursing homes and assisted living facilities about psychiatric patient difficulties in the geriatric community. As a result, DHCFA will form a task force for further review. It is DHCFA's firm belief that a forensic facility should be explored further.

Ms. Waldron explained that a forensic facility would be a place designated to address specific psychiatric behaviors such as previously registered sex offenders. She mentioned that other states (Illinois) are reviewing notification procedures or systems that are used to notify facilities about previously incarcerated residents.

Mr. Smith suggested that the Commission reviews the law regarding previous offenders and how facilities are notified before admitting someone in their community.

4. Old/New Business:

DNHRQAC By-Laws

Changes made to the by-laws were voted upon and motioned for approval without changes. Ms. Bailey will post the by-laws on the Commission's website: <http://courts.delaware.gov/AOC/?dnhrqac.htm>

2006 Annual Report

2006 Annual Report draft was submitted to the Commission for review. Mr. McGonigle will review the draft and make any changes if needed. Ms. Bailey will forward the report electronically to Mr. McGonigle.

Ms. Waldron suggested the 2006 DNHRQAC Annual Report be submitted to the Governor's Office before the end of 2007 calendar year. The Commission voted and approved this motion.

Mr. Smith requested that quality initiative high-lights are incorporated in future DNHRQAC Annual Reports. Ms. Bailey will contact Ms. Rogers, Quality Insights for her input regarding this suggestion.

2008 DNHRQAC Meeting Schedule

A proposed 2008 meeting schedule was distributed to members. Chairman McGonigle invited discussion regarding the current monthly meeting sessions. He proposed meeting less often and include more substance. His suggestion was well received, voted upon and approved by members.

In 2008, the Commission will meet bi-monthly from 9AM-Noon at Emily P. Bissell Hospital, 4th floor conference room. It will remain the second Tuesday in the meeting month.

Ms. Waldron suggested going forward; agencies that interact with nursing homes and assisted living facilities should be invited to present updates to the Commission. The agencies should include: DMMA, DLTCRP, Ombudsman, Quality Insights, and AG's Medicaid Fraud Unit. CMS should also provide updates to the Commission.

Senate Bill 175

Mr. McGonigle will follow up with the Attorney General's Office regarding this meeting request.

DNHRQAC Member Guidelines

Ms. Bailey drafted member guidelines to aid new and existing members about their role on the Commission.

Mr. McGonigle asked whether a confidentiality agreement was designed for members. The confidentiality of records established by the Division of Long Term Care Residents Protection appears in DNHRQAC's by-laws under article 3. Mr. Murray will check and report back to the Commission.

The member guidelines will be tabled until the confidentiality agreement can be located and reviewed.

Website Recommendations

Mr. Smith suggested further website discussion be held at the January 8, 2008 commission meeting.

Mr. McGonigle will forward the immediate, no cost recommendation made at the September 11, 2007 DNHRQAC Meeting to Secretary Meconi's Office. The immediate recommendation is to combine DLTCRP, Ombudsman's Office and DNHRQAC on one webpage with the assistance of Jay Lynch.

Web site report cards were also discussed at this meeting. Ms. Waldron recommended we ask Ms. Rodger and Mr. Lynch be invited to participate at the next Commission meeting when the QI website recommendations are reviewed again.

Resident/Family Satisfaction Surveys

Delaware Healthcare Facilities Association reported that in 2007, the association paid for satisfaction surveys though My Innerview. The association will share the findings of the surveys to the Commission as soon as they are available.

5. Public Comment:

There was not public comment made during the meeting.

6. Executive Session:

An Executive Session will follow this public meeting.

7. Next meeting will be Tuesday, January 8, 2008 at 9 AM. The location will be Emily P. Bissell Hospital, 4th Floor Conference Room.

8. Adjournment:

The meeting was adjourned at 11:30 AM.

Margaret E. Bailey

FINAL MINUTES - The September 11, 2007 DNHRQAC minutes were approved without changes to the draft.

QART Report

DNHRQAC By-Laws draft

DNHRQAC Annual Report draft

2008 DNHRQAC Calendar

DNHRQAC Member Guidelines