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DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE  
COMMISSION

Emily P. Bissell Hospital  
2<sup>nd</sup> floor conference room  
3000 Newport Gap Pike  
Wilmington, DE 19808

**FINAL**

Meeting March 9, 2010  
Minutes

Commission Member(s) Present: Brian L. Posey, Chairman; Yrene E. Waldron; Karen E. Gallagher; Patricia C. Engelhardt; Lisa A. Furber; Vicki L. Givens; Wayne A. Smith and Senator Bethany Hall-Long.

Commission Member(s) Absent: Joe G. DiPinto; M/Sgt. Walter Ferris and. Representative Valerie J. Longhurst.

Others Present: Margaret Bailey; Rob Smith, Licensing Administrator DLTCRP; Pete Feliceangeli, Attorney General's Office; Lisa Zimmerman, DMMA Administrator; Candace Brothers, Aid to Ms. Gallagher; Carol Lovett, Consumer; Andi Wozny, Journey's Program Administrator; Victor Orija, State Ombudsman; Carrie Hart, Volunteer Services Administrator; Chris Oakes, Division of Aging; Eddi Ashby, MFP Program Administrator; Sharon Dickol, Jewish Family Services; Susan Comegys, Administrator Churchman Village; John Schmitt, Administrator Governor Bacon; Laura Hendrick, Social Services Director Emily P. Bissell; Sharon Garrick, Season's Hospice; Ruth Cornelison, Consumer and Pam Williams, Administrator Adult Protective Services.

1. Call to order

The meeting was called to order at 9:34 AM by Brian Posey, DNHRQAC Chairman.

2. Approval of the Minutes of the meeting of:

The November 10, 2009 and January 12, 2010 meeting minutes draft(s) were voted upon and approved with minor changes.

Chairman Posey asked whether Mr. Sam Abdallah, Chief Executive Officer of the Delaware Psychiatric Center, provided any further update regarding the mobile crisis unit being piloted at the State facilities. Mr. Abdallah presented to DNHRQAC members about the psychiatric admission process during the January 12<sup>th</sup> meeting at Legislative Hall in Dover. Ms. Bailey will contact Mr. Abdallah for an update.

3. Discussion of:

Staffing Report

Rob Smith, DLTCRP Licensing Administrator, presented the first quarter Staffing Report to the Commission. Mr. Smith added that it appears staffing levels were pretty stable in the beginning of 2010. A copy of the Staffing Report was distributed to commission members. The private facilities staffed at a 3.85 and the State facilities at a 5.48, which are both in compliance with Eagles Law.

The ratio's of nurse to resident and aide to resident were also met during this time frame.

## DMMA Overview

Lisa Zimmerman, Chief of Operations for the Division of Medicaid and Medical Assistance, presented an update to the Commission. She shared with members that Rosanne Mahaney was recently appointed the “official” Director for the Division. Ms. Mahaney had been Acting Director previous to the new appointment.

Under the field operations unit, which Ms. Zimmerman manages, there are 95 staff positions. Six positions were permanently eliminated in fiscal year 2009. Presently, the unit has a 15% vacancy rate. Seven senior social worker/case manager positions have been filled. The positions are responsible for determining financial eligibility in the LTC Medicaid programs -which include SSI related and food stamp benefits for community Medicaid clients. Two supervisor positions (Smyrna State Service Center and NCC registered nurse) also were filled.

The Division has 90 days to determine eligibility for LTC Medicaid. Currently the Division is averaging 51 days, State-wide. Last year, the Division was staffed higher and averaged 49 days State-wide for the eligibility process.

Ms. Zimmerman shared that less applications have been submitted in 2010 versus 2009. In 2009, the number of applications received for LTC Medicaid was 174 per month. In 2010, the number of applications received for LTC Medicaid is averaging 170 per month. The Division receives more applications at certain times of the year more often than others.

Senator Bethany Hall-Long asked what percentage of applications reviewed by the Division is eligible for LTC Medicaid and placed in a LTC facility. Ms. Zimmerman explained that the Division does not determine placement. There are several instances that impact applications received by the Division. Some of the applications received could be for residents currently in a LTC facility, individuals in the hospital trying to get into a nursing home or individuals in the community trying to enter a nursing home. Finally, the Division also determines eligibility for spousal impoverishment. This occurs when one spouse is nursing home resident and the other lives in the community. The Division helps to divide their financial resources.

Senator Bethany Hall-Long asked how she could obtain a report that breaks down the type of application versus the decision. Ms. Zimmerman will forward the information requested to the Commission.

Ms. Waldron shared that LTC Medicaid applications are denial primarily for two reasons- medical or financial.

Ms. Zimmerman stated that DMMA and Christiana Care Hospital have a partnership where LTC Medicaid applications can be expedited. Christiana Care Hospital also writes letters of guarantor which assist clients needing nursing home placement.

Ms. Givens asked if the other DE hospitals also have an expedited LTC application process. Ms. Zimmerman stated that other hospitals used to have the same expedited application process, however due to staffing shortages within the Division; the project was pulled. Mr. Smith added that he is aware that some hospitals use vendors to pre qualify patients for Medicaid eligibility; and assumes the prequalification is utilized for long term care as well as acute care.

DMMA participates in inter-rater reliability which was developed 2 ½-3 years ago. Some of the units that report to Ms. Zimmerman determine the actual reimbursement rate for clients in nursing homes. The goal is to provide a consistence review method State-wide during chart review.

Quarterly resident's charts are reviewed by the Division. In January 2010, the Division scored 100% on the inter-rater reliability.

Chairman Posey asked whether the reimbursement rate is affected by the quarterly review process. Ms. Zimmerman stated that the nurses determine the reimbursement for each individual client based on their needs; however the review does not set the reimbursement rate. The rate is set by the Divisions fiscal department.

Ms. Waldron shared that the reimbursement rate has not changed in the past two years due to lack of funds. Typically, cost reports are sent to the Division which includes more than the level of care for individuals- it also includes staffing, food, etc. Currently, Ms. Waldron shared that facilities are operating with an approximate \$10 per day shortfall due to freeze in reimbursement rates in the past 2 years. The reimbursement rate being used now was set in 2008.

### Money Follows the Person Program

Eddi Ashby, MFP Program Administrator, present to commission members Money Follows Person Program being administered by DMMA. The Program received a three year grant which is being used to transition 100 Delaware LTC residents into a community setting.

The eligible for MFP: must be 6 month resident in LTC facility; must be Medicaid eligible at least 30 days prior to discharge; have healthcare needs that can be met safely in the community; voluntarily consent to participate; and eligible for a waiver (E&D, MR/DD or ABI).

MFP also provides services that include(s): transition services; counseling, education and training workshops; assistive technology; personal assistance; home accessibility modifications; and respite care.

In addition, MFP provides clients with access to a transition coordinator who will assist in developing plans and follow the individual through 365 days. A post discharge follow up also will occur to ensure that the move was satisfactory and that the individual's needs are being met in the community.

To date, 24 individuals have been transitioned into the community through MFP.

Chairman Posey asked meeting participants to note the need to acknowledge that housing has been a huge barrier for some of the State run programs. In addition, the Community Ombudsman program, which was supported a few years back, has not been funded and therefore a lack of oversight remains in the community.

Ms. Waldron asked if one of the biggest barriers beyond housing is working with families that believe a resident would benefit greater if the resident should remain in a facility. Ms. Ashby stated that the MFP program develops a support system for individuals so they can function without family infrastructure.

### Journey's Program

Andi Wozny, Nursing Home Transition Administrator, shared that the Division of Services for Aging and Adults with Physical Disabilities offers two programs for individuals interested in transitioning into the community-MFP and Journey's. Both programs work together. If an individual does not qualify for one program, the application is forwarded to the other program for eligibility review.

To be eligible for the Journey's Program, the following applies: minimum 6 month LTC stay; must be Medicaid eligible for 30 days prior to discharge; and utilize one of the 5 separate waivers. The Journey's Program provides more opportunity to a larger population of individuals that are requesting services.

In calendar year 2009, 16 individuals were transitioned using the Journey's Program. None of the individual's transitioned through the program has returned back to LTC facilities.

Ms. Wozny stated that lack of housing issues effect placement of individuals that are approved in the Journey's Program.

#### State Office of Volunteerism

Carrie Hart presented to the Commission regarding the State Office of Volunteerism. A Volunteer Toolkit was also distributed to DNHRQAC members present.

The State Office of Volunteerism is broken down into four main areas: Retired and Senior Volunteer Program (RSVP), Americorps, Foster Grandparents and Volunteer Resource Center.

The RSVP Program was designed to match skills and talents of adults 55+ so they can provide assistance throughout Delaware. RSVP volunteers receive insurance while traveling to/from and during their volunteer experience. Currently, Delaware Emergency Management Agency (DEMA) and Division of Aging and Adults with Physical Disabilities (DSAAPD) utilize RSVP volunteers. RSVP's webpage is: <http://dhss.delaware.gov/dhss/dssc/sov/rsvp.html>.

Ms. Hart is a Volunteer Services Administrator in the Volunteer Resource Center. The resource center assists with the following: offers volunteer opportunities and referrals State-wide; provides direct contact to agencies seeking volunteers; develops outreach contacts; locates technical assistance for agencies; and provides training sessions for volunteer coordinators.

The Volunteer Resource Center also is involved with the Delaware Volunteer Credit Program that permits students grades 9-12 to earn 1 elective credit towards graduation upon completing 90 hours of community service. The Volunteer Resource Center's website is: <http://dhss.delaware.gov/dhss/dssc/sov/volresctr.html>.

Delaware was the first State to initiate the volunteer credit program.

Americorps is similar to a domestic Peace Corps, which provides individuals an opportunity to apply skills in an effort to aid others in the community. The Americorps member recruits and manages an average of twelve community volunteers. They can help coordinate a project of any size. There is a small fee to utilize Americorps service which supplements the Federal grant the group receives.

Volunteer In Service To America (VISTA) is a new volunteer subsidized program for senior citizens who would like an opportunity to work. The company pays the senior citizen minimum wage training.

Chairman Posey mentioned that a previous speaker shared the importance of fulfilling psycho-social needs for LTC and AL residents. He furthered asked whether SOV could assist in promoting interaction between residents and others (volunteers) on a frequent basis to benefit residents and facilities.

Ms. Bailey asked whether there is a volunteer program offered through SOV for disabled individual's who want to contribute volunteer time in the community. Ms. Hart mentioned that there is not a lot offered for disabled individuals wanting to provide volunteerism.

Ms. Givens shared that residents would welcome seeing a new face, especially those that do not have any family members to visit. She added that it would be great to have someone there for residents to take a walk, read to them or just talk.

Ms. Gallagher shared that she often needs someone to help her after a meeting to understand paperwork that was distributed. Ms. Bailey added that a buddy system in the community is important to help an elderly or disabled person stay connected. Ms. Hart added that Best Buddies of Delaware, a nonprofit organization, pairs a volunteer with an individual for one-on-one friendships.

4. Old Business/New Business:

5. Public Comment

- CNA Day- Ms. Engelhardt mentioned that the annual CNA Day will be held June 10, 2010 at the Cheswold Fire Hall. Contact Pat Engelhardt for more information: (302)239-5290 or patcengel@verizon.net.
- 2-1-1 System- The Delaware Helpline will be sending a letter asking for providers and/or agencies to update their contact information. Their website is: <http://www.delaware211.org/Home>.
- Practice Without Pressure- Ms. Bailey will contact the organization to see if they will present to the Commission at a future date.
- Mrs. Markell and Cabinet Secretary Landgraf- visited Emily P. Bissell Hospital on February 9, 2010.
- SB 172- (sponsored by Senator Bethany-Hall Long) was signed by the Governor 2/1/10. Senate Bill 172 provides an exemption from activities considered within the scope of nursing for assisting HIV/AIDS patients residing in residential group homes with self administration of medication provided the person has successfully completed a Board-approved medication training program. The bill would enable CNA's to perform this needed function.
- 9<sup>th</sup> Annual Resident's Rights Rally -will be held on October 5, 2010 at the Dover Sheraton. For more information, contact Sandy Dole: (302)684-2755.
- US News and World Report, January 11, 2010 edition, ranked Cokesbury Village and Jeanne Jugan Residence with an honor roll score! Both Delaware facilities had to achieve four straight quarters of perfect five-star ratings from CMS in the area's of: health inspections, nurse staffing and quality of care.

6. Next meeting will be **Tuesday, May 11, 2010** at 9:30 AM. The location:

Emily P. Bissell Hospital  
3000 Newport Gap Pike

2<sup>nd</sup> floor conference room  
Wilmington, DE 19808

7. Adjournment

The meeting was adjourned at 11:48 AM by Chairman Posey.

Attachments: Meeting agenda

November 10, 2009 DNHRQC draft meeting minutes

January 12, 2010 DNHRQAC draft meeting minutes

Staffing Report

MFP versus Journey's Comparison

Volunteerism DVD and handouts