

---

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 January 10, 2012  
Minutes

Commission Member(s) Present: Brian L. Posey, Chairman; Karen E. Gallagher; Yrene E. Waldron; Pat Engelhardt; Kyle Hodges; Chief Kenneth McLaughlin and Lisa A. Furber.

Commission Member(s) Absent: Senator Bethany Hall-Long; Joe DiPinto; Wayne A. Smith; Vicki Givens and Representative Valerie J. Longhurst. In addition, Peter FeliceAngeli, DOJ was not present.

Others Present: Margaret Bailey; Renee Walton, Aide to Karen Gallagher; Roger Connell, Serenity Gardens; Teresa Burgos, APS; Colleen Yezek, PACE; Victor Orija, State Ombudsman;

1. Call to order

The meeting was called to order at 9:37 AM by Brian Posey, DNHRQAC Chairman. Members and guests introduced themselves to Chief Kenneth McLaughlin, DNHRQAC's newest Commission member.

2. Approval of the Minutes for the meeting of:

September 13, 2011 and November 8, 2011 meeting minutes were approved without changes.

3. Discussion of:

**Programs All-Inclusive for the Elderly (PACE)**

Colleen Yezek, Program Coordinator from the Division of Medicaid and Medical Assistance (DMMA), spoke to Commission members about PACE. PACE is a Medicare and Medicaid state option that provides community-based care and services to people age 55 or older that would otherwise need a nursing home level of care. PACE was created to meet a person's health care need and allow them to remain living in the community.

The PACE program is projected to begin in the Fall 2012 at the Wilmington Riverfront. Initially, service will be provided to six individuals. PACE's goal is to offer service for 170-180 individuals. PACE will provide to/from transportation and travel time will be limited to one hour each way.

"Through a feasibility study, it appears that Lewes, Delaware would be the next area in Delaware to benefit from the PACE Program" added Ms. Yezek.

Ms. Yezek shared that the PACE Program is offered in other states (NY, CA, and NJ to name a few).

PACE will provide a team of health care professionals to coordinate an individual's plan of care. Services will include: Adult Day Care, Meals, Dentistry, X-ray Services, Behavioral Health,

Physical Therapy, Primary Care, Prescription Drugs, etc. The program will follow Federal Regulations.

Feedback or complaints will be directed to Centers for Medicare and Medical Services (CMS) or Division of Medicaid and Medical Assistance (DMMA) Administration.

Individuals must meet Medicaid eligibility upon enrollment. At any time, a client may elect to leave the program. The PACE organization would then prepare a care plan that would be used upon discharge.

Client who participate in PACE and then require a higher level of care will be referred to the contracted assisted living or nursing home facility.

Ms. Waldron asked what the capitation payment will be for providers that participate in the program. Ms. Yezek will forward the information to the Commission.

Should providers want to want to participate in PACE, they should contact the Director for the PACE Program: Joanne Piscitello, MSN RN @ (302)575-8231 office or (302)290-9527 cell. Ms. Piscitello is the executive Director of Continuing Care at St. Francis Hospital located at: 701 N Clayton Street Wilmington, DE 19805.

For more information about PACE: [http://dhss.delaware.gov/dhss/dmma/pace\\_home.html](http://dhss.delaware.gov/dhss/dmma/pace_home.html).

### **Adult Protective Services (APS)**

Teresa Burgos, APS Supervisor (DHSS), provided an update to Commission members regards APS. The unit now reports directly to Constituent Services under DHSS Secretary's Office. It formerly was located within the Division of Services for Aging and Adults with Physical Disabilities (DSSAPD).

APS has two offices- New Castle County (University Plaza-Newark) and Kent (Milford), which are both fully staffed and include: five senior social worker/case managers, administrator and supervisor.

In 2012, APS investigated 1,063 cases state-wide and consisted of: self neglect 35%, caregiver neglect 24%, financial exploitation 18%, physical abuse 10% and others situations. The most common perpetrator was a family member. The APS unit is continuing to see more clients with dual diagnosis.

APS hopes in the near future to add an additional senior social worker/case manager and nurse to each office. Both positions will assist with changes: 1) the restructuring of the APS Unit from Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) to Constituent Services and 2) changes within the Medicaid waiver program as is moves to Managed Care Organizations (MCO's).

APS accomplishments in the last two years:

- A. Added a senior worker/case manager per office.
- B. Moved to DHSS Secretary's Office- Constituent Services (formerly DSAAPD).
- C. Created dual language APS brochure.
- D. Awareness of service promoted on billboards (I-95)
- E. Telephone assistance during off hours (evenings, weekends and holidays).\*\*

\*\* Off hour referrals total 20% of the APS unit's volume. The telephone representatives do offer suggestions for emergency type calls (call police, go to emergency room, etc). For all other type calls, information is passed on to the appropriate APS office- the next business day. The number to call: (800)223-9074.

Ms. Burgos shared that on-going education is provided to the Louisiana agency that takes off-hour calls for Delaware APS. The LA agency is also aware of Delaware laws and police contact information throughout the state. In addition, the APS supervisors and administrators are also available to assist with a question.

There are a series of questions the call taker must ask an individual when they call the APS Unit off hours (what is the presenting problem, is there physical abuse, is the person safe, etc.).

Ms Burgos added that APS staff is not available on a 24-hour basis.

Chief McLaughlin mentioned that law enforcement agencies usually receive a follow-up phone call from the APS Unit- the next day. At that time, an investigation will begin (copies of police report, interview police officer, etc).

Chief McLaughlin added that at times, police are asked by APS to provide an escort to the referral location, so they can begin an investigation.

In most cases, EMS or police receive a 9-1-1 call after hours and determine APS should be involved (conditions are not conducive, etc) stated Chief McLaughlin. As a result, EMS and/or the police notify APS.

Chairman Posey asked whether Child Protective Services (CPS) provides immediate coverage should the agency be contacted after hours. Ms. Burgos shared that CPS does have 24 hour physical coverage state-wide.

Chairman Posey will draft a letter to DHSS Cabinet Secretary recommending 24 hour physical coverage be available for the elderly and individuals with disabilities.

APS challenges as Delaware continues to move towards home and community-based care:

- A. Lack of emergency and professional resources.
- B. Increased number of clients with dual diagnosis
- C. Reclassification of APS job titles (and certification)
- D. The APS Unit manually tracks the type of reports they receive yearly (do not have a data management system).

Chief McLaughlin mentioned he believes that there are more situations of abuse, neglect, etc that should be tracked in Delaware Criminal Justice Information System (DELJIS). He will contact DELJIS to see if he can obtain statistics and bring them to the March DNHRQAC meeting.

#### 4. Old Business/New Business

##### QART and Staffing Report

Both 4<sup>th</sup> quarter 2011 reports will be discussed during the March 13, 2012 DNHRQAC meeting.

##### 2011 DNHRQAC Annual Report

Ms. Waldron suggested that Commission members review the “goal section” of the annual report since it has been a while since they have been reviewed. Chairman Posey agreed with the idea. A copy of the original and proposed goals was distributed. Members discussed a few minor changes.

There was a motion (approved by members) to incorporate the proposed goal changes into the annual report.

In addition, a motion was also made( and approved by members) to give Chairman Posey, Ms. Waldron and Ms. Bailey authority to communicate via email so they may tighten up one sentence in the annual report (draft) about the Medicaid Fraud Control Unit. Members will receive a copy of the tightened sentence at the next Commission meeting.

##### Scope of DNHRQAC and Commission Name

Ms. Waldron suggested the scope of DNHRQAC expand beyond nursing home resident’s quality. She further suggested that it expand to include continuum of care health resource quality. The reason for the request: “The Commission, in the past, reviewed safeguards necessary to protect residents in nursing homes, which have been put into place. Since the direction now is focusing on having more individuals an opportunity to live in the community, there needs to be more safeguards in place to protect them as well.”

Chairman Posey mentioned that there should be more Commission members present as well as the public before a deeper discussion is made regarding a name change. He will invite the Governors Commission on Community-Based Alternatives to the March 2012 DNHRQAC meeting to discuss any overlap between the two Commissions as a starting point.

#### 5. Public Comment

##### State Rental Assistance Program (SRAP)

Margaret Bailey mentioned there was a press event 12/19/11 at Emily P. Bissell Hospital. Governor Markell and several Cabinet Secretaries attended the event. Three State long-term care residents and a set of twins, exiting foster care, received rental assistance through this effort.

##### JFC Public Hearing Schedule

Margaret Bailey distributed a copy of the FY 13 Public Hearing Schedule. The Hearings will begin 1/31/12 in Dover. Information is also available:

[http://legis.delaware.gov/LIS/lis146.nsf/vw\\$\\$webDocs/JFC?openDocument&nav=JC](http://legis.delaware.gov/LIS/lis146.nsf/vw$$webDocs/JFC?openDocument&nav=JC).

##### New Legal Service Hotline

Delaware residents age 60 and older may now receive free legal advice from a new state hotline: (302)478-8850-New Castle County and (800)773-0606-Kent/Sussex. The hotline is funded through a Federal grant.

6. Next meeting will be **Tuesday, March 13, 2012** at 9:30 AM. The location:

Legislative Hall  
House Majority Caucus Room  
411 Legislative Avenue  
Dover, DE 19901

## 6. Adjournment

The meeting was adjourned at 11:58 AM by Brian Posey, Chairman.

Attachments: January 10, 2012 Meeting agenda

Meeting minutes draft of September 13, 2011 & November 8, 2011

QART Report- December 2011

DNHRQAC Member Contact List (updated)

DNHRQAC Goals (original vs proposed)

2012 DNHRQAC Meeting Schedule

PACE Presentation

APS Presentation

JFC 2013 Public Hearing Schedule