DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION
Emily P. Bissell Hospital
3000 Newport Gap Pike
2nd floor conference room
Wilmington, DE 19808
FINAL

Meeting March 10, 2015
Minutes

Commission Member (s) Present: Melissa Heck; Yrene Waldron; Patricia Dailey Lewis, Esquire; Amy Milligan; and Lisa Furber.

Commission Member (s) Absent: Representative Michael Barbieri; Brian Posey, Chairman; Senator Bethany Hall-Long; Kyle Hodges; Karen Gallagher and Vicki Givens. Lisa Barchi (DAG) was also not in attendance.

Others Present: Margaret Bailey; Rob Smith, DLTCRP; Quinesha Harris, DHCI; Carol Lovett, Consumer; Tina Showalter, Esquire, MFCU; Staci Marvel, DMMA; Kathleen Dougherty, DMMA; Sherri Hageman; OPG and Ronnette Anderson, DMMA.

1. Call to order

    The meeting was called to order at 9:43 AM by DNHRQAC member, Lisa E. Furber.

2. Approval of the Minutes for the meeting of:

    January 13, 2015 meeting minutes were not voted upon due to lack of quorum.

3. Discussion of:

    Managed Care Organizations (MCO) and Money Follows the Person (MFP) Budget

Kathleen Dougherty, Staci Marvel and Ronnette Anderson provided updates to the Commission regarding the Division of Medicaid & Medical Assistance (DMMA).

MCO Highlights:

- Managed Care is a health care delivery system organized to manage cost, utilization, and quality.

- There are currently two MCO's in Delaware – United and Highmark (as of 1/1/2015). The Medicaid contract with Aetna was not renewed in 2015.

- 130,000 Medicaid clients previously served by Aetna were moved to United & Highmark.

There was mention of the Promise Program (DSAMH behavioral health services). Ms. Bailey will contact Steve Dettwyler and let him know that Commission members are interested in hearing more about the Promise Program in the near future.

MFP Highlights:

- Program was awarded to DMMA in 2007 - as a demonstration grant.

- Designed to help transition individuals from a facility to community-based setting by: utilizing a transition coordinator, determining assistive devices & modification equipment, locating support system (attendant services, activities, transportation, etc) & securing housing.

- MFP Eligibility: an adult must be Medicaid eligible when entering the program; have lived in a LTC facility for more than three months; have health needs that can be met through services in the community; voluntarily consent to participate and meet HCBS program criteria (waivers).

- Year End 2014, 228 individuals have participated in MFP. To date (2015), there are 53 MFP participants. There is no wait list currently for HCBS.

- CMS reviews MFP budget submissions and decides program funding. It appears that over the past 24 months, the biggest percentages of MFP costs are associated with home health care services (35%). No capitation rate for risk-based services is currently required.

Office of the Public Guardian (OPG) & DE Guardianship Commission (DGC)

Sherri Hageman, provided an update to Commission members regarding OPG & DGC. The Office of the Public Guardian currently has 200+ cases (person and property). There are three case managers within OPG – one in each county.

Highlights:

2013 – Office of the Public Guardian added two new positions: Social Service Specialist and Accounting Technician. The Guardianship Monitoring Program was also moved from Court of Chancery to OPG (September 2013).

1st Quarter 2015 Staffing Report

Rob Smith, DLTCRP Administrator presented the first quarter 2015 Staffing Report to Commission members. All facilities were in compliance. The hours per day staff to resident ratio was 3.67, which exceeds Eagle's Law requirement of 3.28.

There was also mention that staffing numbers at one Delaware facility were above the minimum hours per resident per day (3.28 Eagles Law); however resident needs were not being met due to staff competency. DLTCRP cited both a Federal and State staffing deficiency. Centers for Medicare & Medicaid Services (CMS) imposed a $8,350.00 Civil Monetary Penalty (CMP) for this survey. The State of Delaware cannot impose a CMP if CMS imposes the same CMP.

4. Public Comment

State Ombudsman

Teresa Ritter accepted the position of State Ombudsman and began 3/10/15. Ms. Bailey will forward contact information for Ms. Ritter to DNHRQAC members. Ms. Bailey plans to meet with Ms. Ritter soon and encourages Commission members to do the same.

Home and Community Based Services (HCBS) Ombudsman Position

Ms. Bailey mentioned that a "new" HCBS Ombudsman position was posted recently on the State's Office of Management and Budget's employment webpage. This HCBS Ombudsman will provide service in Kent/Sussex Counties. Currently, there is one HCBS Ombudsman that provides HCBS - state-wide.

All Stars Award Ceremony

Yrene Waldron mentioned that Delaware Health Care Facility Association will be hosting their fifteenth All Stars Awards Ceremony at Dover Downs Hotel & Casino - May 13, 2015. Fifteen individuals will recognized for their excellence in providing quality care and services to the elderly and disabled in long term care facilities across Delaware. Victor Orija will be receiving special recognition during the ceremony for his years of service as the State's Ombudsman.

DNHRQAC 2015 Meeting Schedule

Due to the fact that Emily P. Bissell Hospital will be temporary closing the end of March 2015, Ms. Bailey reminded all that a few upcoming DNHRQAC meetings will be located elsewhere. More information will be forwarded to members and interested parties - once the location has been established.

4. Next meeting will be **Tuesday May 12, 2015 @ 9:30 AM. The meeting location: TBD.**

5. Adjournment

The meeting was adjourned at 11:20 AM by Lisa E. Furber.

Attachments: January 13, 2015 meeting minutes draft
           1st Qtr 2015 Staffing Report
            Delaware Adult Abuse Registry stats
            # of Delaware licensed beds as of 1/1/2015 spreadsheet
            Nursing Home Penalties article
            5 Star Changes with CMS document
            "New" LTC Ombudsman Rules article
            Antipsychotic Drug Use article/stats
            Oral health article
          EBH closure letter/press release
            MFP Budget Report
            MFP – Finding a Way Home document