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DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

DDDS – Fox Run  
2540 Wrangle Hill Rd  
2<sup>nd</sup> Floor Training Room “A”  
Bear, DE 19701  
FINAL

Meeting November 22, 2016  
Minutes

Commission Member (s) Present: Lisa Furber, DNHRQAC Chair; Representative Kim Williams Yrene Waldron; and Sue Shevlin. Paige Schmittinger, Esquire (DOJ) also in attendance.

Commission Member (s) Absent: Amy Milligan; Melissa VanNeerden; Senator Bethany Hall-Long; Karen Gallagher and Doug Watts.

Others Present: Margaret Bailey; Mary Peterson, DLTCRP; Dana Camoirano, Home Instead; Linda Brittingham, CCHS; Sally Jennings, Quality Insights; Paul Hyland, Medical Marijuana Program (PH); Joseph Schlimer, PH; Melissa McNally, Vitas; Karen Conway, Vitas; Mat Marshall, State Senate; Renee Purzycki, DLTCRP; Casey Stradley, DLTCRP Student Intern; Kathleen Dougherty, DMMA; Suzie Tadlock, GBHC; Jennifer Marrero, GBHC and Carol Lovett, Consumer.

1. Call to order

The meeting was called to order at 9:37 AM by Lisa Furber.

2. Approval of the Minutes for the meeting of:

The meeting minutes of July 12, 2016 & September 13, 2016 were not approved due to lack of quorum.

3. Discussion of:

Eagles Law

Mary Peterson, DLTCRP Director, provided commission members with an overview of DHSS's proposed regulatory changes for Eagles Law. The proposed changes have been circulated to stakeholders for their input. Ms. Peterson advised commission members that there is a work group involved with the proposed changes & no definitive date as to when a final draft will be ready for public comment (Register of Regulations).

Eagles Law was introduced by Senator Robert Marshall during Delaware's 140<sup>th</sup> General Assembly (SB 115) along with other long term care legislation. DHSS recently prepared a draft of proposed changes to Eagles Law which was forwarded to Senator Marshall & DNHRQAC members in advance of the November 22, 2017 meeting.

Ms. Peterson summarized the following proposed changes to Eagles Law:

1. Update regulation to reflect current practice of nursing home minimum staffing ratio's
2. Create staffing levels in assisted living & dementia units
3. Modify staff educator, nursing and other facility staff's minimum qualifications & requirements.
4. Require group & personal centered activities be offered on a daily basis: 10:00 am - 7:00 pm.

During the discussion, Ms. Bailey read a letter prepared by Senator Marshall about DHSS's proposed changes to Eagles Law. Ms. Furber asked if DNHRQAC members could participate in the work group. Ms. Peterson mentioned that stakeholders are currently involved in the work group and that DLTCRP will provide DNHRQAC with a final draft.

Ms. Peterson urged commission members to forward comments regarding proposed Eagles Law changes: mary.peterson@state.de.us.

#### Music & Memory Program (M & M)

During September 13, 2016 DNHRQAC meeting, Ms. Peterson mentioned that DLTCRP will be using some Civil Monetary Penalty (CMP) funds to pilot a music therapy program in LTC facilities. "Ten" Delaware nursing home facilities (10 residents each) will participate in the music program which will be mirrored after "Alive Inside". The Division will focus efforts around dementia residents and utilize student intern, Casey Stradley, and volunteers to facilitate the program.

Renee Purzycki, DLTCRP, provided an overview of the M & M Program which offers residents an opportunity to awaken & connect with their lost memories, identity and personhood through inexpensive technology (iPods). A portion of the Alive Inside documentary video was also shown during the commission meeting.

Ms. Peterson offered to provide commission members with a future update regarding the M & M Program.

#### Care Management

Linda Brittingham, Corporate Director, Social Work @ Christiana Care Health System (CCHS) provided commission members with an overview of Christiana Care's Care Link. CCHS's Care Link is a clinician-led management service that links clients with coordinated health care to promote safety, empowerment and self-management.

Care Link is expected to go live via Delaware Health Information Network (DHIN) and Chesapeake Regional Information Program (CRISP) in 2017. There are currently 26k active ACO members within CCHS & CRISP.

Care Link currently supports 224 primary care physicians in 51 practices (Delaware & Maryland combined). The program expects to increase the number of physicians to 300 and practices to 70 – January 2017.

Care Link was developed to make it easier for individual's to take care for themselves/stay well; and provide tools, knowledge and support to achieve health goals which includes:

- Care Link Team: Doctors Pharmacists, Social Workers, Nurse Case Manager, Social Workers & Health Ambassadors
- Medical care coordination – includes hospital stays and doctor visits
- Address social, behavioral, transportation and financial assistance barriers to accessing care
- Promote patient engagement in self-management of chronic conditions and medication management
- Answer questions regarding medicines, lab work or tests
- Connect individual with community resources
- Support individual's & keep client on track

Contact Care Link: 844.227.3565

### Medical Marijuana Program

Paul Hyland, Program Manager for Medical Marijuana Program, provided an overview to commission members. The Division of Public Health (DPH) implemented Title 16, Ch 49A of the Delaware Code; the Delaware Medical Marijuana Act which regulates the medical use of marijuana in Delaware.

Physicians may authorize a patient (adult or child) to use marijuana to treat symptoms of terminal illness and other qualifying medical conditions. The goal is to provide patients with an opportunity to receive therapeutic or palliative benefit from medical marijuana, and that its potential benefit would likely outweigh any health risks.

The State of Delaware issued three (3) licenses for marijuana distribution centers, known as compassion centers in Delaware. Delaware opened a pilot compassion center in Wilmington (37 Germay Dr) on June 26, 2015 with First State Compassion Center (FSCC). The Office of Medical Marijuana recently contracted with Columbia Care Compassion Center to begin growing medical marijuana in Kent County. A Kent County dispensary is expected to open Fall 2017. In Sussex County, FSCC will open a retail location West of Lewes, Delaware.

Facts:

- MM Program began 2011
- Physician must have a bona fide relationship with the patient and care for the patient's qualifying medical condition
- Patient designates a caregiver to pick up/purchase
- Patient will be issued a registry card (if application is approved)

- The law provides for revocation of the card and penalties when a patient fails to comply with the requirements of the program, redistributes the marijuana, or makes false statements
- There is an appeal process, too.
- Currently there are 2,200 – 2,300 patients utilizing the program
- Clients began receiving registry cards in 2012 (cost \$125/year but 45% receive free); must be renewed annually
- Average age of client: 40 – 55 years
- Cost is approximately \$300 per ounce; can possess six ounces at one time & obtain three ounces every 14 days
- Future plan: allow edibles

For more information, contact Medical Marijuana Program: 302.744.4749 or [medicalmarijuanaDPH@state.de.us](mailto:medicalmarijuanaDPH@state.de.us).

#### 4. Old/New Business:

##### FY 16 DNHRQAC Annual Report

FY 16 DNHRQAC Annual Report was ready for commission member’s approval. Due to lack of quorum, the report was not able to be finalized during this meeting.

##### DNHRQAC Memberships

Ms. Bailey will contact new administration January 2017 regarding membership vacancies.

#### 5. Public Comment:

##### Adult Protective Services

Michael Serfass has been promoted within DHSS. He will serve as APS Administrator effective 12/2016.

##### LTCOP Org Chart

Ms. Bailey provided commission members with an updated organizational chart for the Long Term Care Ombudsman Program.

##### Residents Rights Rally

The Annual Residents Rights Rally was held October 25, 2016 at the Modern Maturity Center (1:00 – 3:00 pm). The theme was “My Vote Matters.” Senator Bethany Hall-Long and Representative Kim Williams prepared a tribute to honor the residents. Eleven facilities participated at this annual event.

6. Next meeting will be **Tuesday January 10,2017 @ 9:30 AM**. The meeting location:  
Legislative Hall Tatnall Bldg: 150 Martin Luther King Jr Blvd Room 112 Dover, DE 19901.

7. Adjournment

The meeting was adjourned at 12:12 PM by Lisa Furber. .

Attachments: Guide to Services for Older Delawareans and Persons with Disabilities  
Meeting Minutes of July 12, 2016 – draft  
Meeting Minutes of September 13, 2016 - draft  
Membership Contact Information  
Eagles Law Proposed changes  
Letter from Senator Robert Marshall  
Music and Memory pamphlet  
Medical Marijuana Program pamphlet  
Christiana Care Care Link folder  
2017 DNHRQAC meeting calendar