

NEVADA STATE DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
**ADULT DAY CARE ADVISORY COUNCIL MEETING**

**SUMMARY MINUTES**

**Date: February 28, 2019**

**Time: 9 AM**

**MEETING LOCATIONS**

Videoconference to:

Division of Public and Behavioral Health  
Health Care Quality & Compliance  
727 Fairview Drive, Suite E  
Carson City, Nevada 89701

Division of Public and Behavioral Health  
Health Care Quality & Compliance  
4220 South Maryland Parkway, Building D, Suite 810  
Las Vegas, Nevada 89119

Chris Vito, Chairperson  
Jeffrey Klein, Vice Chair  
Emily Buntin, Carson Valley Adult Day Club (teleconference)  
Howard Chin, New Life Adult Day Health Care Center  
Kathy Posada, Baby Boomer's Activities Club  
Diane Ross, The Continuum (teleconference)  
Patrick Brumley, Washoe County (teleconference)

Absent: Jeff Dold, More to Life Adult Day Health Center, LLC

Others present:

Dorothy Sims, HCQC  
Leticia Metherell, HCQC  
Nathan Orme, HCQC

The chair called the meeting to order and announced there was a quorum present.

Approval of minutes from the November 29, 2018 meeting. *Chris Vito, Chairperson*

THERE WAS A MOTION AND A SECOND TO APPROVE THE MEETING MINUTES OF NOVEMBER 29, 2018. THE MOTION PASSED UNANIMOUSLY.

**Bureau Topics – Health Care Quality and Compliance Education and Informational Adult Day Care Topics.**

Top Ten Tags – *Dorothy Sims, HCQC* –

*Provided everyone a handout with the top ten tags*

1. Tag 170 – Service of Food; Dietary Consultants
2. Tag 056 – Director and Employees – Physical Exams
3. Tag 220 – Requirements of Facility
4. Tag 123 – Plan for Emergencies, drill for evacuation
5. Tag 155 – Required Services
6. Tag 157 – Director and Employees – TB Testing

7. Tag 072 – Orientation and Training of Employees – 12 hours of annual training
8. Tag 109 – Requirements for facility – failed to ensure clients had access to temporary storage to store personal property
9. Tag 070 – Orientation and Training of employees – failed to ensure employees completed a general orientation of the facility’s programs, policies and services
10. Tag 088 – Files Concerning Employees

Educational Topics and Media *Nathan Orme, Education & PIO, HCQC*

Nathan Orme said that he updates all the web pages for all facility types. If any one has any questions regarding bills, to please contact him.

[findahealthfacility@health.nv.gov](mailto:findahealthfacility@health.nv.gov)

Review of regulations related to adult day care to Review of Regulations & Industry Feedback that Impact Adult Day Care Centers:

Presenter: Leticia Metherell, HCQC.

An impact questionnaire was sent out to all adult day care centers.

**ADULT DAY CARE REGULATORY IMPACT QUESTIONNAIRE WITH RESPONSES  
2/20/2019**

A survey was sent out to all Nevada licensed adult day care centers requesting feedback on the regulations that may negatively impact their business. Four adult day care centers identified themselves as responding to the questionnaire.

The following are the responses provided by the adult day care centers that responded to the survey.

Questions	Yes	No	Comments
Are there any parts of NAC Ch. 449.013 (license/renewal fees) that prevent industry from wanting to open an adult day care facility, or for which you have suggested changes? Please identify the sections that you feel hinder expansion of the Adult day care industry or for which you have other suggested changes.	2	1	Fees
Are there any parts of NAC Ch. 449.4016 to 449.4089 (adult day care specific regulations) that are a burden to the industry, prevent industry from wanting to open an adult day care facility, or for which you have suggested changes? Please identify the section that you feel hinder expansion of the adult Day care industry or for which you have other suggested changes.	1	1	
Are there any parts of NAC Ch. 449.9982 to 449.99939 (administrative sanctions) that prevent industry from wanting to open an adult day care facility, or for which you have suggested changes? Please identify the section that you feel hinder expansion of the adult Day care industry or for which you have other suggested changes.	1	1	

Are there any parts of NAC Ch. 441A.375 (tuberculosis screening/employee physical exam) that prevent industry from wanting to open an adult day care facility, or for which you have suggested changes? Please identify the section that you feel hinder expansion of the adult Day care industry or for which you have other suggested changes.	0	2	
Are there any parts of newly created regulations LCB File No. R109-18 that prevent industry from wanting to open an adult day care facility, or for which you have other suggested changes? Please identify the section that you feel hinder expansion of the adult Day care industry or for which you have other suggested changes.	0	1	

Diane Ross said she gave the survey to her director and she felt that they were okay with the regulations. She asked who is going to train on the glucometer.

Leticia Metherell said that she will have the new regulations sent out to everyone. She asked everyone to note what sections apply to them. She said there is no specific form but will expect to see any caregiver that you have it well document that they are qualified to do the glucose testing and have that available for survey.

A member said the training that is required is not clear. Leticia Metherell said this training is going to apply to any caregiver in the facility whether a nurse or not. Glucose testing training and competency is very important and it is a requirement.

Leticia Metherell asked if the ADCAC members have a specific regulation that they are of the opinion it is a burden to the industry.

Chris Vito said he was of the opinion that the regulations are reasonable.

Vice Chair Jeffrey Klein said there seems to be some confusion on whose regulation is whose when Medicaid tells them how to do it which is totally different from HCQC. Inconsistencies of surveys between agencies Aging and Disability, Medicaid and HCQC is my complaint and sometimes inconsistencies from two different surveyors.

Leticia Metherell asked if there was anyone on the phone who had a concern regarding a specific regulation being a burden. In the feedback, someone commented the fees were a complaint.

Christina Vito said they opened their fourth location and paid their initial license fee, and a month later had to pay the renewal fee. Leticia Metherell explained that it is in statute which requires a statutory change. She said that they could also contact their legislator and tell the concern. She said she has a concern on the large late fee amount.

Leticia Metherell asked for recommendations from the ADCAC and appreciates their feedback. In summary sounds that overall, the current regulations impact adult day care centers are appropriate and reasonable and would not prevent a person from opening

There are concerns for the large late fee amount. The ADCAC recommends that HCQC re-evaluate our fees and take a look at the current fee structure.

Jeffrey Klein barriers to new injuries adult day care facilities Medicaid rates the biggest barrier is injury issue. The government reimbursement is so behind. The rates are 40 percent behind even after the 5 percent increase. If the minimum wage is passed in the states, there are many facilities will be closing or only be available to private pay.

Leticia Metherell asked what are the transportation issues.

Kristen Coulombe said Medicaid offers transportation and we do have adult day care and there is a insurance issue. It is not a mandate to provide that service, it is an option that they can choose to do. The net broker MTM can provide the transportation.

Jeffrey Klein said scheduling is an issue that you have to schedule within a three day window and throwing a major barriers to providers to use the MTM service. It is extorting money for rides. Caregivers have given up because they are using all their time trying to schedule rides.

Christopher Vito said it is like they are discouraging rides.

Kristen Coulombe recommended that RTC be invited.

Christina Vito commented regarding the documenting the training part, do you need to specifically show besides the confirmation of receiving proper training on certain procedures. Do we need to show the step-by-step training? Leticia Metherell responded that we would like to see how you are complying with performing the task per the manufacturer's instructions.

**Medicaid update as it relates to adult day care centers.** *Arneva Smith or Kirsten Coulombe, DHCFP*

Kristen Coulombe said they have had an increase for adult day health care centers for Medicaid clients; for adult day care elderly waiver there has been a decline. There was a successful senior day was held at the legislature.

Her office is very busy during session and will be updating their policy and have a follow up workshop in September 2019. They will make sure there is a full vetted out workshop before the changes are made.

Jeffrey Klein said he disagreed.

Kristen Coulombe talking about adult day care health centers. If you want to send me the study, she would be happy to review it.

Christina Vito said eligibility and future remittances can be seen on claims. Normally in the past, they could see how much the payment would be in the following Friday which is no longer available. Kristen Coulombe said that she should be able to get that information today and will send it to Nenita Wasserman to distribute to the advisory council.

Below is follow up to questions asked last week at the Adult Day Care Advisory Council about Medicaid's new billing system InterChange.

- The provider believes they could see future eligibility in the legacy MMIS. For example, today is February 28. If a recipient has a service scheduled for tomorrow, the provider could see in EVS that the eligibility would be effective tomorrow. However, when they attempted to check eligibility in the modernized system, they aren't seeing March eligibility yet.  
They will not be able to see March eligibility until 3/1. They cannot see into the next month.
- Previously in EVS, Christina Vito stated the providers were able to review future Ras (remittance advices) prior to receiving payment. However, it's being reported that that functionality is no longer. Is this accurate?  
Providers should be able to view the RA for the week on Wednesday and payment is received on Friday.

Christina Vito thanked Kristen for calling into the meeting today.

**Industry Update:** *Chris Vito, Chairperson and Jeff Klein, Vice Chair*

Topics for the next meeting.

Jeff Klein said that they had a great launch for senior issues and had a great turn out at the senior day at the Nevada Legislature. Literally over 150 seniors attend and make the rounds with their legislators.

For the next meeting we will do legislative updates.

Public Comment (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)

There was no comment under public comment.

Adjournment.

The meeting adjourned at approximately 10:36 a.m.