

**DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
ASSISTED LIVING ADVISORY COUNCIL MEETING
SUMMARY MINUTES**

Date: April 18, 2017

Time: 10 AM

Meeting locations Videoconference to:

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

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

NOTE: SOME BOARD MEMBERS MAY ATTEND IN LAS VEGAS AGENDA ITEMS MAY BE
TAKEN OUT OF ORDER, COMBINED FOR CONSIDERATION, AND/OR REMOVED FROM THE
AGENDA AT THE CHAIRPERSON'S DISCRETION

Attendees

Las Vegas ALAC Members:

Linn Thome, Merrill Gardens, Co-Chair
Simona Cocea, Nevada Memory Care
Wendy Knorr, Atria Senior Living
Julie Liebo, Lakeview Assisted Living & Memory Care

Excused:

Dora Valentin Tompkins, Angel Care Residential Home
Margaret McConnell, BELTCA

Members Attending by Teleconference:

Shawn McGivney, Tender Loving Care Senior Residence
Jeremy Thompson, Morris Polich and Purdy, LLP
Julie Liebo, Lakeview Assisted Living & Memory Care
Chris Mirando, RFA, Majestic Management of Pahrump, Inc.
Julie Peterson, Vintage Park

Carson City ALAC Members:

Dan Allmett, Mason Valley Residence, Co-chair
Paul Bailey, Bailey's Group Home
Diane Roberts, Washoe County
Vangie Molino, Vista Adult Care
Gina Stutchman, Arbors Memory Care
Patrick Ward, Carson Valley Senior Living

Ex Officio Members:

Robert Kidd, CEO, Perry Foundation

Others attending by teleconference:

Rosemary Womack, Las Vegas

Other attendees

Nenita Wasserman, HCQC (Carson City)
Nathan Orme, Education Information and PIO, Carson City
Michael Batis, C.Q.E.S, (Las Vegas)
Jeanne Bishop Parise, Vice Chair, Nevada Assisted Living Association (Carson City)
Betty McKay Bachman, All About Caring (Carson City)
Denise Selleck, NVHCA (teleconference)

Approval of minutes for the meeting of October 18, 2016. *Dan Allmett, Co-chair*

DIANE ROBERTS MADE A MOTION TO APPROVE THE MEETING MINUTES OF OCTOBER 18, 2016 AS PRESENTED. THE MOTION WAS SECONDED BY PAUL BAILEY. MOTION PASSED UNANIMOUSLY.

Make recommendations for renewal of two-year terms as member of ALAC.

- Paul Bailey, Bailey's Group Home – term expires July 2017

DIANE ROBERTS MADE A MOTION TO APPROVE PAUL BAILEY FOR ANOTHER TWO-YEAR TERM. THE MOTION WAS SECONDED BY PATRICK WARD. MOTION PASSED UNANIMOUSLY.

Review and approval of By-Laws for the Assisted Living Advisory Council changing meetings from quarterly to bi-annual.

After a roundtable discussion, the group decided that ALAC would continue to meet quarterly.

Shawn McGivney said that some standing agenda items he would like to see would be legislative updates, on the latest top ten tags and medication management.

THERE WAS MOTION BY DIANE ROBERTS FOR THE ALAC TO CONTINUE TO MEET QUARTERLY. THE MOTION WAS SECONDED BY SHAWN MCGIVNEY. MOTION PASSED UNANIMOUSLY.

Health Care Quality and Compliance update:

Steve Gerleman read a comment into the record from Paul Shubert, Bureau Chief of Health Care Quality and Compliance regarding Medication Management:

Health Care Quality and Compliance (HCQC) is not responsible for the Commission on Post Education (CPE) law requirements as it relates to medication management. However, HCQC cannot ignore CPE requirements regarding medication management. Once HCQC receives clarification from CPE, there will be better direction. If you have questions regarding medication management, please direct your questions to the CPE.

There was a roundtable discussion regarding CPE requirements and how it would change the ability for some members to teach medication management.

Robert Kidd reported that the Perry Foundation was in the final stages of receiving CPE application approval. He offered to help facilitate a meeting between interested ALAC members, Paul Shubert and Kelly Wuest of the Commission on Post Secondary Education to work out some of the barriers.

An attendee said when she spoke with Kelly Wuest with the Commission on Post Secondary Education, he said if you train inhouse and train only your own staff, then you are not subject to this regulation and do not have to be CPE certified.

Diane Roberts said because of the current requirements, she cannot train group homes because she is not a vocational trainer which puts her out of business.

Rosemary Womack said that the way she understood the policy is if she did not charge for the class, she does not need certification but is allowed to charge for the refresher course.

Shawn McGivney stated that he submitted his application for a medication management certificate to train his own staff and no others.

Diane Roberts said that when it was brought to her attention she was told by HCQC that it did not apply to individual trainers if they had HCQC approval. The CPE is going after it because they offer a certificate that the person can walk out and get a job. The certificate enhances their ability to get a job.

Jeanne Bishop Parise asked if costs to receive CPE approval could be absorbed by the Perry Foundation. She commented that in the north, if Diane Roberts and Majen are not certified; there will be a shortage of certified med techs.

Robert Kidd said this will have a direct impact on the residents at the facilities and requested a meeting with Paul Shubert, Bureau Chief, HCQC would have a meeting with CPE to lay out some boundaries.

Shawn McGivney said there is another large group who issue their own certificates which are Supported Living Arrangements and CBAs. He stated that those med tech certificates are issued within their own infrastructure.

Steve Gerleman noted Supported Living Arrangements (SLAs) and CBAs are exempt from HCQC authority.

After some discussion, the ALAC members were in full support of Robert Kidd facilitating a meeting with Paul Shubert and Kelly Wuest of the Commission on Post Secondary Education to see if there may be a work around so that they may continue to practice.

Betty McKay commented that the CPE reviewed everything that she teaches. The only thing that required licensing was medication management because she issued the certificate that could get employment. They gave her an application packet which cost \$2,000 to submit. They sent a certified letter that said as of a certain date, she may no longer teach this course. After she paid the \$2000 fee, she received another letter stating that she could temporarily teach while under review. She said it is easier for the Perry Foundation, who have the funds to pay for the fees for the CPE review, than for people like herself, Rosemary Womack and Diane Roberts.

Legislative updates, Nathan Orme, Education and Public Information Officer, HCQC

Nathan Orme, Education and Public Information Officer, HCQC, noted that if anyone has any legislative bills they need updates he can help you learn how to find it on the web. He said he could provide some bill numbers at the next meeting but as an Education Officer, his position is to help you look for items. He will be putting out some items on social media for HCQC and the Division of Public and Behavioral Health soon. Currently he is working with Public Health Preparedness regarding evacuation plans, sand bag locations. In response to Shawn McGivney's comment that he hoped HCQC is neutral on bills before the legislature, Nathan Orme said that HCQC is neutral on all bills.

Update on Centers for Medicare and Medicaid Services (CMS) settings and changes related to assisted living. *Crystal Wren, Division of Health Care Financing and Policy (DHCFP)*

Crystal Wren commented that they have received feedback from CMS that the regulations submitted are in compliance. There are some areas the state will have to look at closer. The transition amendment has been posted to their web site and the link is http://dhcfp.nv.gov/Home/WhatsNew/HCBS/PublicComment/Transition_Plan_4/13/17/. The amendment will be posted for 30 days and comments may be received and then it will be resubmitted to CMS.

Gina Stutchman requested that SB 95 and 96 be summarized by Crystal Wren when she has an opportunity and send out a synopsis.

Updates from the Aging Disability and Services Division that relate to assisted living. *Jennifer Williams-Woods, State Long Term Care Ombudsman*

There was no discussion on this item.

Home Based and Community Waiver Information. *Anna Olsen-Figueroa, Social Services Manager, Home and Community Based Waiver Program*

There was no discussion on this item.

Assisted Living Industry updates. *Dan Allmet, Co-chair*

There was no discussion on this item..

Discuss and make recommendations of topics for Administrator to take the State Board of Health

There was no discussion on this item.

Public comment:

Gina Stutchman, Nevada Assisted Living Association (NALA), stated that NALA is open to all ALAC members, large, and small providers as an additional support group to the industry. She gave an update on the following legislative bills.

- SB95 Requires an analysis of the adequacy of Medicaid reimbursement rates for personal care services.
- SB97 Expands the authority of the Office of the State Long-Term Care Ombudsman..
- SB121 Directs the Legislative Commission to appoint a committee to conduct an interim study concerning issues regarding the behavioral and cognitive care needs of older persons.
- SB 468-Makes changes relating to overtime and the calculation of hours worked for certain domestic service employees..
- SB477 Enacts provisions relating to residential establishments for persons with disabilities.
- reestablishment NRS 478 allows a single family residential homes helping revert the I/2 sprinkler problem.
- SB324 Authorizes employees of certain facilities and organizations to check vital signs and provide related services.
- SB 468 – Makes changes relating to overtime and the calculation of hours worked for certain domestic service employees.

Gina Stutchman said she would send out an email out to ALAC membership in support of certain bills. She also encouraged other ALAC members submit an email regarding their relationship with the fire department.

Report on assisted living related programs at Perry Foundation.

Robert Kidd, President and CEO, Perry Foundation reviewed handouts he provided to the ALAC and that are posted on the HCQC web site.

1. NALA Spring Expo – CEU event, collaboration with Nevada Assisted Living Association
2. Fourth Endeavor Awards
3. 2017 Elder Care and Support Summit
4. The Perry Foundation’s Healthcare Conference in collaboration with The Sanford Center for Aging.

Adjournment.

There being no further business before the ALAC, the meeting was adjourned at approximately 11:55 a.m.

