



Communicator

ASSISTED LIVING ASSOCIATION OF ALABAMA

2008: What kind of year will it be?

Happy Valentine's Day to everyone! Better enjoy the day because mid-February might be the last time we see folks being "sweet" to one another for a long time.

Medicaid is fighting to replace a \$500,000,000 hole in its budget. The Legislature is searching for the money to fill it.

National politics will continue the rising negative rhetoric until the respective national conventions select presidential candidates...and then the real fun will begin!

The Alabama Legislature ended last session in the middle of a fight (literally) and barely could get any legislating done because of partisan bickering.

The session, which begins this month, does not look like it will be much different than last year.

Sprinkler Recall Notice

The Jan/Feb issue of "Sprinkler Quarterly" magazine reports there is a recall for Model "J" Dry Style sprinklers manufactured by Globe Fire Sprinkler Corp. between 1990 and 1999.

It may be possible that some of these sprinklers have been installed in some of the Assisted Living facilities that have dry systems or dry pendant sprinklers installed in areas subject to freezing, such as attics, porches, exterior overhangs, walk-in coolers and freezers, etc.

The facilities should have a qualified sprinkler contractor inspect the systems for any of these type sprinklers and proceed as quickly as possible to have them replaced. The ALAA website (www.alaaweb.org) has the Globe Fire Sprinkler recall notice and proof of claim to assist in that process.

If a facility does not have Globe sprinklers installed, it would be good for the sprinkler inspector to document this fact.

Region Meetings

"Optimizing Your Resident Care Plans"

Region 1-
February 28
Hartselle Utilities Bldg.

Region 2-
February 20
Somerville at University Park, Birmingham

Region 3-
March 6
Merrill Gardens at Northport

Region 4-
February 27
Waterford Place, Mtg.

Region 5-
March 5
Community Health Systems, Gulf Shores

Region 6-
February 12
Hartford Ret. Village

Inside this Issue:

SCALF CON Challenges

Legislature Returns

Regulatory Issues

Fire Safety Updates

"Governing Authority" Summit



5921 Carmichael Road
Montgomery, AL 36117
www.alaaweb.org

VOLUME XX / ISSUE I

FEBRUARY 2008

Get Ready! 2008 Offers Change and Challenge



Just My Opinion
Frank Holden

Rules, regulations, and reform are the “three ‘R’s” of our curriculum in 2008. Last fall, in this column we talked about the heavy toll the ADPH scoring scheme was taking on providers.

Beginning this month we begin a series of meetings with the ADPH to discuss some inconsistent and contradictory results of recent surveys and negotiate remedies.

While some of these inconsistent outcomes are the result of honest disagreement between providers and the Department, others are symptoms of more serious flaws in the scoring system itself.

It is indeed a positive step that ADPH and ALAA are scheduled to sit down and discuss these issues. Your input will be vital to the success of this enterprise.

Very soon you will receive a survey in the mail (or by email).

Please respond to the survey quickly and honestly in order to provide your ALAA negotiators important and timely information about your experience and your opinions. The survey will include several questions regarding ADPH scoring, CON issues, and other regulatory subjects.

As usual, stay tuned for more updates as the discussions proceed.

“Governing Authority Summit”

ALAA will institute a new forum in May. The meeting will be called the “Governing Authority Summit”.

The intent is to provide a forum for owners, managers, senior executives, and others who serve as the “governing authority” of assisted living and specialty care assisted living facilities in Alabama.

In the last several years the demographics of our state’s assisted living provider mix has changed dramatically.

A dramatic increase in national multi-state ALF providers coupled with an aggressive consolidation of single family-owned properties means we need to adjust our strategy for the future.

ALAA will conduct a one and one-half day event May 15-16, 2008 in Birmingham to develop a regulatory, legislative, and consumer strategy for the next five years.

Executives, owners, and managers of assisted living and SCALF communities, owners of single campus facilities, and corporate regional managers will be invited to participate.

While staff and care-givers are welcome, this is a summit designed for those who have committed financial resources to develop assisted living in Alabama.

The agenda will include regulatory strategy, legislative initiatives, and other matters crucial to the profession.

Alabama assisted living units have declined by approximately ten percent in the last twenty-four months. Economics and regulatory impact have driven the decline.

In addition to the loss of licensed units, many properties have been sold or otherwise consolidated into larger corporate holdings.

It is vital that we address the impact of these changes and calibrate our strategies to meet the challenges of our new environment.

It is the mission of ALAA to represent the providers of our state in the most professional manner possible and to meet the educational and regulatory needs of our diverse membership.

Small providers and large national corporate developers must be afforded the best representation possible at all levels.

It is important to our profession, to our Association Members, and to the residents and families we all serve.

Interpretive Guidance for Survey Preparedness

EMERGENCY WATER SUPPLY:

ADPH regulations clearly state that each facility must have at least a three day supply of emergency water available for all residents in case of an emergency. Some have used “contracts” with suppliers to bring water in emergencies. Some have adapted mechanical filters and taps to access water in hot water heaters and boilers. Both of these methods have passed surveys in the past.

No longer will these methods suffice. ADPH only accepts stores of bottled water as meeting the requirement.

Calculate your current daily water consumption and divide by number of residents to get the actual amount of emergency water needed. (Some estimate 1 gallon per resident per day or 3 gallons per resident as an average.)

Some bottled water brands have an expiration date; make sure your emergency water supply is calendared to be checked for expiration and replaced appropriately.

PERSONAL ITEMS:

Throughout the past year there have been many questions regarding personal care items, OTC remedies, and the like. The current best advice from ADPH is “use your good judgment”. Some personal grooming items can be deadly if ingested or used improperly. Fingernail polish and remover, for example. If your residents and visitors are trained

about your facility’s policy on these items, and your staff is trained and monitored regularly, and if you regularly document “sweeping” the facility for banned items or improperly stored items, you *should* be in compliance.

Residents must be frequently reminded and required to keep these items locked in their room or the facility must control them. CAUTION: in using your “best judgment” take into account the behavior of your resident population and the line between personal safety and a resident’s rights.

FLU VACCINATIONS:

In the continuing discussion of staff immunizations, ADPH expects providers to have documented evidence of staff flu immunization annually.

If the staff member refuses immunization, counseling must be provided (and documented), and if the staff member still refuses the flu injection, a signed declination statement by the employee should be placed in the employee file.

One note: somFluMist[®] nasal immunization more palatable than an injection. *If an employee in assisted living opts for that method they should not have contact with “at-risk” populations for seven days.*

ALAA was referred by Dr. Geary (ADPH Medical Director) to the CDC website. <http://www.cdc.gov/flu/professionals/infectioncontrol>.

It would be useful for providers to review the entire document and pay close attention to the sections that refer to long-term care or assisted living.

PLUS: You might want to look at the National Red Cross and/or FEMA guidelines for storing emergency supplies.

This resources are useful to include in your policies and procedures.

Each month ALAA will include new guidelines for best practices and survey preparedness. These ideas will be gleaned from recent surveys and discussions with ADPH. These hints and recommendations will appear in this space in each “Communicator” issue.

Food Sanitation & ServSafe Training

Food Sanitation Training

February 29 @ the ALAA Office

ServSafe Training

May 14 @ the ALAA Office

We will take the first 25 PAID registrants!

Alabama Legislature Returns



CON Debate Likely in 2008

The Alabama Policy Institute, a conservative "Think Tank" in Birmingham, has published a paper called "Certificate of Need Laws: Why It's Time for Repeal".

You may download a copy from www.alabamapolicy.org

ALAA light on Legislative Agenda

The story may be very different over at SHPDA.

While your Association will be busy lobbying state government this year, it is more likely that our efforts will take on a more Regulatory than Legislative focus.

It is likely that the Statewide Health Care Council will recommend requiring a Certificate of Need for outpatient or in-home Hospice to stem the growth of this popular healthcare service.

Such a change will require legislative action. Inpatient Hospice is still under a moratorium.

CON methodology for Specialty Care Assisted Living is likely in for some discussion. Even though there has been very little controversy regarding SCALF CON matters since imposition of the law, this year we already see

potential or real conflicts in some counties. CON battles this year over issuing new CONs and expanding existing ones are likely.

"Bed-need" methodology may become a topic of debate. Currently the state health plan identifies a need for four SCALF beds per thousand population (over the age of 65) in any given county.

Other Legislative Issues

Alabama Medicaid projects a shortfall of \$500,000 in the 2009 budget.

The current level of state support for the disabled, children, and seniors will be affected unless the Legislature can find additional revenue.

The shortfall can only be remedied by new revenue sources or shifting state funds from one program to another.

New Forms For Sprinkler and Fire Alarm Safety Inspections

ADPH has added two forms for you to get your fire alarm inspection and testing provider and your sprinkler inspection provider to fill out and sign.

The forms ensure that the proper tests were conducted and that your systems performed as required.

The two forms are available now to download from alaaweb.org or

you may call Amy at the Association office to have them faxed to you. They will also be available to download from adph.org.

Actually they perform an important chore by simplifying the inspection reports to one page.

Make sure that your provider checks off the appropriate boxes and signs the document. Make sure you file the document in your

survey book or in a file easily retrievable whenever a surveyor asks for your fire alarm and sprinkler inspection reports.

