

September 7, 2010

Tom Geary, MD
Medical Director
Assisted Living Section
Bureau of Provider Standards
Alabama Department of Public Health
PO Box 303017
Montgomery, Alabama 36130-3017

Via: US Mail and email

Dear Dr. Geary:

While we welcome your willingness to redesign and modernize the ADPH assisted living regulations, the ALAA Board of Directors has some concerns.

We are concerned that the Department would propose such limiting and aggressive MMSE scores for admission and retention. Well documented national statistics indicate that roughly half of Americans eighty years old and older have diagnosable dementia. This condition may inhibit their ability to safely live alone but has not proven to create elopement or medication risks in assisted living facilities.

The Department's proposed admission standards would significantly impact Alabama seniors who might choose assisted living as a care option if they were not forbidden admission because they did not score in the "normal" range on the MMSE.

We welcome this opportunity to address the rules because it has been a decade since the assisted living facility rules were revised. I am sure you agree there have been enormous improvements in geriatric medicine since then. We are eager for this opportunity to introduce these advances and eliminate outdated concepts in the regulations.

In order to best serve this end, we will be distributing a synopsis of your draft to our members and soliciting their ideas for regulatory improvements. (We will provide them a copy of your draft upon their request.)

We will engage our Assisted Living Medical Advisory Board of geriatric medicine specialists and seek the professional opinions of other geriatric care experts in order to better inform our response to the proposed new regulations.

The Assisted Living Medical Advisory Board will assist in developing standards of care that will help both us and the Department in identifying and codifying these best practice standards in the new draft.

We expect this exploratory search for the best clinical practices will take approximately ninety days, the review and field testing will require at least ninety days, and we hope a preliminary recommendation can be ready for ADPH to review by February 2011.

Certainly, we will have continual discussions with you and the Department as this information is compiled in order to incorporate the Department's views and ideas. Public policy and rule-making must be a collaborative process in order for there to be any expectation of success.

We look forward to the process but both the Department and licensed providers must understand that this is a process and will take some time to reach a legitimate conclusion.

Cordially,

Frank D. Holden, President
For the ALAA Board of Directors

CC: Dr. Don Williamson
Rick Harris
Richard Powers, MD.
Kelley Mitchell, RN
Pat Ivie, JD
ALAA Board of Directors
ALAA Medical Advisory Board