

NY ALFA NEW YORK CHAPTER OF ALFA

Summer 2014 Newsletter

New York's Voice for the Assisted Living Community



Nancy Hodes, Co-Director
Ginger Landy, Co-Director
Michele O'Connor, Legislative Director
Courtney David, Member Services



Nancy Hodes, NY ALFA,
Corinda Crossdale, Director NYS
Office for the Aging, and
Maribeth Bersani, ALFA at
NY ALFA's 8th Annual Advocacy
Day

SUCCESSFUL 2014 LEGISLATIVE SESSION

The 2014 Legislative Session was extremely successful for NY ALFA. We were able to accomplish a number of major achievements in the 2014-15 State Budget, including a Criminal History Record (CHRC) requirement for direct care employees of all ACFs and ALRs.

This issue was a top NY ALFA priority. The effort to overcome opposition and secure the support of both Houses of the Legislature and the Governor was multi-pronged, and involved garnering the official support of NY AARP. After the budget was finalized on April 1, the legislature passed a bill delaying the implementation date of this requirement until January 1, 2015. This extension was deemed necessary to develop the infrastructure needed to support the additional facilities/employees.

In addition, a number of the recommendations from the ACF/ALR Licensure Streamlining Work Group were included in the final budget, including an increase the maximum respite stay, an expedited approval process for transfers of ownership of less than 10%, and an expedited review process for up to nine additional enhanced and/ or special needs beds.

NY ALFA also actively lobbied Governor's Program

Bill #37, which would allow "advanced home health aides" to perform "advanced tasks including the administration of medications which are routine and pre-filled. These tasks would have to be performed under the direct supervision of a registered nurse licensed in NYS and employed by a home care services agency or hospice program. NY ALFA actively lobbied to include enhanced assisted living residences and assisted living programs as eligible providers in the bill, providing language to the Senate, Assembly and Executive Chamber. Due to the late introduction of this bill, there was insufficient time to reach a three-way agreement.

The Assembly passed a modified version of the bill, but the Senate did not take it up. We will continue to advocate for the inclusion of assisted living providers next Session.

NY ALFA also actively advocated for the passage of a package of bills aimed at strengthening protections for seniors against various forms of abuse, including a bill to encourage the reporting of suspected financial abuse of elders, defining elder abuse in NYS law, and expanding the caregiver definition in penal law to include voluntary caregivers. As you may recall, these bills were part of our Advocacy Day agenda. All measures passed the Senate, and we will continue our support for them in 2015.

B.O.L.O. NY ALFA's 3rd Annual Fall Leadership Summit

Details Coming Soon



CRIMINAL HISTORY RECORD CHECKS

As discussed in the Legislative Session Update, the implementation date for criminal history record checks for direct care employees of adult care facilities has been delayed until January 1, 2015 to provide time needed to develop the infrastructure to support the initiative.

The Department expects to release a Dear Administrator Letter (DAL) in September to outline the steps necessary for complying with the new law. Additionally, existing DOH staff responsible for the Program will conduct training sessions for those entities new to the system to ensure a smooth transition. We will update you on these training sessions as the information becomes available.

HEALTH COMMERCE SYSTEM

The Health Commerce System (HCS) is now the main communication tool used by the Department. It is imperative that each of your communities checks (HCS) on a daily basis to ensure that important communications from the Department are not missed. As a reminder, all Statements of Deficiencies are now transmitted through the HCS. If you have any questions or have difficulties with the HCS system, please contact us immediately and we will assist you in resolving the issue.

REGULATORY UPDATE

As you know, Ginger Lynch Landy Co-Director, represents NY ALFA on numerous Department of Health Work Groups, including the ACF/ALR Licensure Streamlining Work Groups and the Architectural Work Group. She is also a member of the Medicaid Redesign Team's Affordable Housing Work Group.

DOH Architectural Work Group

The DOH Architectural Work Group expects to meet again in later October. Discussion will continue on policies that will bring greater consistency and more appropriate standards to the assisted living environmental and architectural requirements in both the NYS building code and DOH regulations. NY ALFA has been working with several architects including, Steve Ruiz of Moseley Architects/BeeryRio and Dan Purgeil of LRS Architects and actively supporting efforts to provide for appropriate standards that allow for aging in place with flexibility among equally safe occupancy code options (i.e. I-1, plus or I-2).

SAFE RECORD KEEPING

Any software program utilized by an ACF or ALR community must meet all DOH requirements. Specifically, the programs must retain the records for the mandated period of time and be easily retrievable.

DOH INTERNAL REGULATORY REVIEW

The Department is conducting an internal review and evaluating all survey protocols and procedures in order to establish consistent, quality driven policies that are standard across all regions of New York State. DOH intends to share the results of this review with providers and associations later this fall. We will keep you posted on new developments in this arena.

THE NEW ACF COMMON APPLICATION

Last summer, the Department of Health convened the ACF/ALR Licensure Review Work Group to streamline and consolidate the lengthy licensure application and approval process. NY ALFA was actively engaged throughout the process and a number of our recommendations were incorporated into the new ACF Common Application.

We are pleased to announce that the final application is now posted on the Department of Health's website along with a Dear Administrator Letter (DAL) explaining its use.

The Department is in the final stages of planning regional training sessions for adult home and assisted living providers as well as DOH staff over the next few months.

The tentative training schedule is as follows:

- September 10: Albany
- September 23: Syracuse
- October 2: Long Island
- October 20: Buffalo
- October 21: Rochester
- November 6: Queens
- November 10: Westchester

If you would like additional information about these training sessions or would like to RSVP for a session, please call us at 518-465-8303.



**Discussion with
Valerie Deetz, Director for
ACF and Assisted Living
Surveillance**

June 2nd

We kicked off our Advocacy Day activities with an informative discussion with Valerie Deetz, Director for ACF and Assisted Living Surveillance. She provided an update on The Department's activities and initiatives regarding assisted living, including the ACF Common Application.

She also engaged in a lively discussion with attendees on inconsistent regulatory interpretations and methods to address these issues.



Record turn-out for
Advocacy Day!

**NY ALFA'S 8TH
ANNUAL ADVOCACY
DAY**

Thank you to all NY ALFA members who participated in our 8th Annual Advocacy Day on June 2nd-3rd! Your efforts were critical to the day's enormous success.

Special thanks to our sponsors:

Nixon Peabody, LLC

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Emeritus Senior Living

**BREAKFAST BRIEFING
JUNE 3RD**



NY ALFA Member Advocates gathered at the Legislative Office Building for a breakfast briefing sponsored by Emeritus Senior Living prior to meeting with legislators and Executive staff.



Corinda Crossdale, recently appointed Director of the NYS Office for the Aging addressed the group and discussed NY SOFA's agenda and ways NY ALFA can partner with the Agency to advance senior living policy.



Ken Ruthinoski, Dominican Village and Ginger Landy, NY ALFA

**Reception at 60 State Place
June 2nd**

NY ALFA welcomed Advocacy Day participants at a reception sponsored by Nixon Peabody, LLC. It was a wonderful opportunity for members to gather informally prior to meetings the following day.



Senator George Maziarz also stopped by to greet our members and reiterate the importance of our advocacy efforts and the value of assisted living in the long-term care continuum.



NY ALFA 3RD ANNUAL LEADERSHIP SUMMIT

NY ALFA's 3rd annual Leadership Summit will take place this Fall in the Long Island area. This important event offers selected Executive Directors the opportunity to interact with other NY ALFA Executive Directors to share information and discuss pressing business challenges.

Be on the look-out for details coming soon.

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ADVOCACY DAY LEGISLATIVE MEETINGS

NY ALFA Member Advocates met with approximately 50 legislators and key staff during Advocacy Day. We were extremely successful in conveying our messages regarding the importance of supporting the Department's efforts to streamline and consolidate both the licensure process as well as the various regulatory requirements governing assisted living to bring greater consistency and higher quality care for New York's seniors.

Our efforts also resulted in the Senate passing a number of measures aimed at strengthening protections for seniors against various form of abuse and exploitation.

If you were not able to join us, please consider attending the 2015 Advocacy Day. It is an excellent opportunity to educate lawmakers and showcase your community!



NY ALFA On-Line Training Courses

NY ALFA's Continuing Education Program has expanded with new course offerings! Over 110 hours of on-line continuing education credits are now available for NY ALFA members at discounted price.

Each continuing education topic category required within New York State regulations is covered in depth. NY ALFA members will receive two years full access to these courses for \$179.00

NY ALFA also offers members a New York Resident Care Aide Training Kit which follows the NYS Department of Health's Resident Care Aide Training Curriculum Guidelines. This Kit provides practical training materials and DVDs specifically for resident care aide training.

Additionally, we will be offering a new Leadership Kit in September- we will send out an announcement as soon as it is available.

Please visit our website at www.nyalfa.org and click on the Education tab on the top of the screen. Follow the drop down menu and click on NY ALFA CEU Program tab to begin accessing these education courses.