

2015 Summer Newsletter

New York's Voice for the Assisted Living Community



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Steve Lampa, NY ALFA
Board Chair with Maribeth
Bersani, SVP Public
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June Board Meeting

SUCCESSFUL 2015 LEGISLATIVE SESSION

The 2015 Regular Legislative Session concluded on June 25th and was extremely successful for NY ALFA.

A number of critical bills that we actively advocated for passed both Houses, including The Care Act, and a bill authorizing affiliates of licensed operators in good standing to take advantage of the streamlined application process.

We have highlighted these bills below:

The Care Act:
S.676-B/A.1323-B
(Hannon/Rosenthal):

This bill allows patients to designate, upon admission to a hospital, a caregiver in the patient's medical record, and discuss the patient's plan of care and train them in certain aftercare tasks upon a patient's

discharge. NY ALFA worked collaboratively with AARP-NY, The Coalition of NYS Alzheimer's Chapters and other advocates to ensure the bill's passage.

Affiliate in Good Standing
S.5540-A/A.7681-A
(Murphy/Gottfried):

This bill authorizes affiliates of licensed operators in good standing to utilize the streamlined application process for adult care facilities and assisted living residences.

NY ALFA supported this bill as it ensures providers in good standing who wish to open a new community of the same type can take advantage of the streamlined application process even if the legal entity differs.

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NYS DOH MONTHLY ACF/ALR ASSOCIATIONS MEETING UPDATE

Ginger Lynch Landy and Michele O'Connor represent NY ALFA at the Department's Monthly ACF/ALR Associations meetings. A number of topics and clarifications were discussed at the June 25th meeting. We have highlighted these below:

DOH Division of Assisted Living Staffing Update:

The Division of Assisted Living has undergone several staffing changes over the last several months. A number of Project Managers and other staff have been promoted or have left the Department and moved on to other ventures. The Department is working to adjust to these changes and requesting additional staff. We will keep you updated on new staff additions as they occur.

Electronic Plans of Correction (ePOC):

Electronic Plans of Correction will be required for all Statements of Deficiencies received after July 1, except for the MARO region, which will begin on August 1. Providers are reminded to ensure that all required roles are populated on the Health Commerce System (HCS), including the ePOC editor role.

EFINDS:

DOH reiterated the importance of having policies and procedures in place for training for, and use of, eFINDS. Additionally, the Department intends to implement "Train the Trainer" Sessions on eFinds in the coming months.

Inspection Review Process:

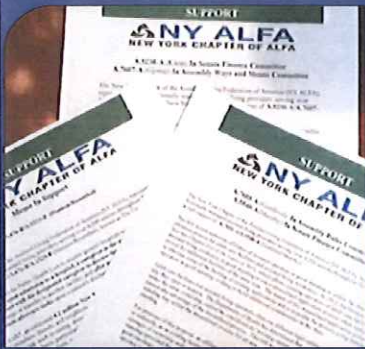
The Department has revised the Inspection Review Process (IRP). Providers will now have the option of requesting an IRP at either the Regional Office or at the Central Office -but not both. Providers may also request that the IRP be conducted via conference call. DOH will also offer a debriefing session, at the provider's request within seven days of the issuance of a decision to explain how such decision was reached.

Incident Reports:

The Department is revising the Incident Report form (DOH-3123) at the request of the Justice Center to prompt for information regarding the provider's investigation of reported incidents. As a reminder, all providers must report deaths to the Justice Center.

Feeding Assistance:

Total assistance with feeding by HHAs is permissible in an EALR and ALP, as long as certain criteria are met, including choking and swallowing evaluation. Assistance should be provided on a case by case basis and providers should be familiar with standard clinical practice.



SESSION UPDATE CONTINUED

NY ALFA has issued Letters of Support to Governor Cuomo urging him to sign these measures into law as soon as possible.

The Advanced Home Health Aide bill passed the Assembly but was not taken up in the Senate. NY ALFA actively advocated to amend the bill to include enhanced assisted living residences (EALRS) as permissible employment settings for AHHAs. We will work with key Senate staff post Session and into next year to include EALRs in any agreed upon legislation. We will also consider stand alone legislation if necessary.

Once again, we'd like to thank you all for your efforts and support. We will keep you posted as events develop.



NY ALFA Board of Directors and Public Policy Meeting

The NY ALFA Board of Directors and the Public Policy Committee met on June 1st, prior to the Advocacy Day Welcome Reception.

Steve Lampa, Partner, The Kensington, was introduced as the new NY ALFA Board of Directors Chair. Other Board and Public Policy Committee members present included Christine Stricklin and Brandi Kerber, Brookdale Senior Living, Kathy Hooker and Brian Danaher, Benchmark Senior Living and Jennifer Riedman, Brandywine Senior Living.

The agenda included discussions of end of Session legislative priorities, aligning NY ALFA's goals with National ALFA, strengthening the NY ALFA PAC, and training and round table topics for the rest of the year.

NY ALFA'S 9TH ANNUAL ADVOCACY DAY

NY ALFA's 9th Annual Advocacy day was an incredible success. 60 Member Advocates joined us from all across the State and met with the newly elected Senate Majority Leader, John Flanagan, Senate and Assembly Aging Chairs Senator Sue Serino and Assemblyman Steven Cymbrowitz, and 44 other members of the Legislature.

Join us next year for the 10th Anniversary of Advocacy Day!!!

WELCOME RECEPTION

Immediately following the Board and Public Policy Committee meeting, NY ALFA hosted a Welcome Reception for all Advocacy Day participants and sponsors. We were joined by special guests, Leo Asen, President of AARP-NY, David McNally, Manager of Government Affairs and Advocacy, AARP-NY, and Bill Ferris, Legislative Director, AARP-NY, Jane Ginsberg, Director, of Statewide Initiatives, Coalition of NYS Alzheimer's Association Chapters. Senate Aging Committee Chair Sue Serino also stopped by to greet our members.

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Advocacy Day Highlights



Record Turnout



*Senate Majority Leader
Flanagan Meeting with NY
ALFA Member Advocates*



*Assemblywoman Rosenthal
Meeting*



*NY ALFA Member Advocates
with Assemblywoman
Rosenthal*



NY ALFA'S 9TH ANNUAL ADVOCACY DAY BREAKFAST BRIEFING

Prior to legislative meetings, Valerie Deetz, Director, Adult Care Facility and Assisted Living Surveillance, and Timothy Perry-Coon, Deputy Director, Adult Care Facility and Assisted Living Surveillance, joined our Member Advocates. Ms. Deetz addressed the group and discussed the department's current and on-going initiatives. Highlights of her presentation included an overview of accomplishments achieved over the past year, including the new streamlined ACF/ALR Application. We expect this new application to be put on the electronic NYSE-CON system in the near future. She discussed the roll out of electronic plans of correction (ePOCs), and the importance of ensuring that communities are properly prepared in the event of a natural disaster or weather event.

Ms Deetz also discussed the efforts underway by the Re-defining Adult Care Facilities in the 21st Century Work Group which is charged with making recommendations to consolidate and streamline the various sets of regulations governing assisted living in New York State.

NY ALFA is actively involved with this Work Group, see page 5.

Advocacy Matters

Your advocacy on behalf of NY ALFA, your organization, and your residents is of critical importance to the advancement of positive senior living policy in NYS.

Thank you again to all who participated and we look forward to the 10th Anniversary of Advocacy Day next year!

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NY ALFA ACTIVITIES

Re-defining Adult Care Facilities in the 21st Century Work Group

The Department of Health (DOH) has convened the Redefining Adult Care Facilities for the 21st Century Work Group to reform and consolidate the various sets of complex and often conflicting statutes, regulations, and policies governing adult homes and assisted living residences.

NY ALFA is heavily engaged with this Work Group and is represented by Ginger Lynch Landy, Do- Director, and Michele O'Connor, Legislative Director. We have assembled an internal work group comprised of Janice Simon, Sunrise Senior Living, Celina Watson, The Kensington, Brandi Kerber, Brookdale Senior Living, and Jennifer Riedman, Brandywine Senior Living to provide us with critical information and recommendations as the reform effort progresses. To date, discussions have included analysis of Residency Agreements, the use of unlicensed, trained direct care aides in the administration of medications and other specialized tasks, and the implications for the assisted living industry with respect to the CMS rule on Home and Community Based Settings. All member organizations are welcome and encouraged to participate.

B.O.L.O

Leadership Summit & In-Person Training Session

NY ALFA is planning to host at least one Leadership Summit for Executive Directors and Regional Managers, as well as an In-Person Training Session this Fall. If there are specific topics you would like us to address, please email Michele O'Connor at moconnor@hodeslandy.com.

Information will be coming soon- keep your eye out for details!



EMERGENCY PREPAREDNESS

In an effort to both support and assist our members to prepare for, and respond to, coastal storms and other emergencies in a coordinated and effective manner, NY ALFA is participating in two initiatives with the NYC DOH and Office of Emergency Management and the New York State DOH and Office of Emergency Management.

Outreach includes activities that address situational awareness, communications, emergency preparedness planning, and education, training and outreach in the event of a coastal storm or other emergency.

We will keep you posted on events as they develop, including training sessions, webinars and Emergency Preparedness Symposiums.