

# MEMBER UPDATE

Newsletter of the NY Chapter of the Assisted Living Federation of America (ALFA)

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## Summer 2012



Ginger Lynch Landy, Co Director NY ALFA with Janice Simon, and Marianne Brown, Sunrise Senior Living

### New York's Voice for the Assisted Living Community

Nancy Hodes: Co-Director  
Ginger Lynch Landy: Co-Director  
Michele O'Connor: Legislative and Policy Issues  
Courtney David: Member Services

## 2012 Regular Legislative Session Concludes

The Legislature adjourned on June 21 as scheduled, after a productive session that showcased Governor Cuomo's strong leadership and ability to harness bi-partisan cooperation from both Houses of the Legislature. During the last week of the Regular 2012 Legislative Session several of the Governor's legislative priorities easily sailed through both Houses.

The Governor's legislative solution to the controversial **teacher evaluation issue** offered a compromise from complete public disclosure. The bill that passed both houses restricts the public release of job-performance data to parents of current students. Lawmakers also passed one of the Governor's top priorities, the **Protection of People with Special Needs Act**. The bill creates a State Justice Center to provide increased oversight and new authority to investigate reports of abuse at state-run or contracted special needs facilities for individuals with developmental and mental disabilities and for children. The details of this bill are outlined below.

The 2012 Regular Legislative Session was extremely **successful for NY ALFA!** We achieved **all of our legislative priorities** thanks to member input, feedback and advocacy efforts.

**The Enforcement/Penalty Bill, the Nurse Staffing Bill and the Direct Care Aide Training Curriculum Bill** all of which NY ALFA opposed in their current forms, were **held in the Assembly Health Committee and did not advance** in the Senate.

Additionally, we were able to **carve Assisted Living Residences and Adult Care Facilities** out of one of the Governor's top priorities this Session, the **Protection of People with Special Needs Act** (Justice Center Bill).

The enacted law **only captures ACFs and enriched housing programs in which twenty five percent of the residents are persons with serious mental illness** as defined in mental hygiene law. The statute further excludes ACFs and enriched housing programs which have 55% or more of their total capacity of beds designated as Assisted Living Program (ALP) beds.

**B.O.L.O**  
**Be On the Look Out**  
**for:**

**NY ALFA's First**  
**Leadership Summit**  
**this Fall**  
*details coming soon*

### INSIDE

Regulatory Update	2
NY ALFA Activities	3-4
NY ALFA Spotlight	5
Industry Partners	6



## *DOH Architectural Work Group*

Ginger Lynch Landy, Co-Director of NY ALFA, is a member of the Department of Health's Architectural Work Group, which is charged with examining the architectural standards applicable to ALRs, EALRs, SNALRs, ACFs, and ALPs, and making recommendations for any needed changes to the regulations. The Work Group last met in June and discussed a number of topics including the Third Party Architectural Certification (TPAC) form, and proposed changes to the International Building Code (IBC) with respect to assisted living occupancy codes.

The Department of Health circulated TPAC form revisions to the Work Group for comment. A number of suggestions were generated from that discussion and a redrafted form and Dear Administrator Letter (DAL) will be on the agenda for the next meeting. Dan Nichols, the State Fire Code official from the Department of State, offered an update on proposed changes to the IBC assisted living occupancy code requirements. In general, they are moving towards I-1 + (plus) and allowing staged evacuation for EALRs and SNALRs. NY ALFA will continue to advocate for acceptance of either I-1 + (plus) or I-2 occupancy codes for EALRs and SNALRs.

Additionally, a Work Group member proposed a new Equivalency to establish an alternative to the current sprinkler requirements in bathrooms and closets for certified EALRs and SNALRs. The proposed Equivalency would allow buildings constructed prior to March 26, 2008 (the effective date of the ALR regulations) **to omit sprinklers in bathrooms with 55 square feet or less and in clothes closets with 12 square feet or less.** In lieu of sprinklers in closets, battery operated, single station smoke detectors may be installed. In bathrooms, heat detectors may be installed to reduce incidents of false alarms due to excessive humidity and heat generated by steam. The Work Group will discuss this proposed Equivalency at the next meeting scheduled for August 28th.

## *Paperwork Reduction Work Group*

Ginger Lynch Landy also represents NY ALFA on the Department's Paperwork Reduction Work Group which has been working for the last 11 months to streamline several Department mandated provider forms, including the Medical Evaluation Form—DOH 3122, the ALR Personal Data and Resident Evaluation Form -DOH 4397, and the Individualized Service Plan (ISP) guidelines.

The revised DOH 3122 form, which has been pared back to three pages from four, has been finalized and approved by the Department. A NY ALFA E-Blast was sent to all members advising them of the new form and the accompanying Dear Administrator Letter. The DOH-4397 form and the modifications to the ISP guidelines are pending Departmental approval. We will update members as these forms are approved.



## 2012 Regular Legislative Session Update Con't

The Justice Center will have a special prosecutor and inspector general with the same authority as district attorneys to investigate reports of abuse at State-run or contracted facilities. It will create a new registry of workers who have committed serious acts of abuse and neglect and will prohibit them from working with individuals with special needs (developmental and mental disabilities and children).



## SUCCESSFUL NY ALFA ADVOCACY DAY!! June 6th—Albany NY

Thank you to all NY ALFA members who participated in our annual Advocacy Day on June 6th! Your efforts were critical to the day's enormous success! Highlights of the day are showcased below.

And thank you to our sponsors who made the events possible!



### *Reception at Taste Restaurant June 5th*

NY ALFA welcomed Advocacy Day participants at a reception sponsored by one of our provider members, The Kensington, and by one of our Industry Partners, BeeryRio Architecture.

It was a wonderful opportunity for our members to gather informally prior to meetings the following day. We also showcased an inspirational video entitled "Age of Champions," a documentary featuring physically active senior athletes participating in the National Senior Olympics.

### *Breakfast Briefing June 6th*



Chris Guay, SVP Emeritus

Prior to meeting with legislators, NY ALFA Member Advocates gathered at the Legislative Office Building for a breakfast sponsored by Emeritus Senior Living.

Senate Aging Committee Director Jessica Morelli Joyce and Laurie Pferr, from the NYS Office for the Aging, joined us to discuss senior living issues and reiterate the importance of our advocacy efforts.

Senator Maziarz, last year's recipient of NY ALFA's Outstanding Achievement Award and long time champion of assisted living, also welcomed Member Advocates and encouraged our members to continue their efforts to advance senior living policy in New York State.



Jessica Morelli Joyce,  
Office of Senator David  
Valesky



Nancy Hodes

Ginger Lynch Landy and Nancy Hodes, Co-Directors, NY ALFA prepared Member Advocates for the day's meetings with a comprehensive Power Point presentation highlighting our messages.



Senator George Maziarz



## *Advocacy Day Legislative Meetings*

NY ALFA Member Advocates met with approximately 35 legislators and key staff during Advocacy Day and were extremely successful in conveying our concerns with several legislative proposals that would negatively affect our provider members and their residents. As a result of our efforts, the bills did not advance during the Regular Session.

Steve Ruiz, BeeryRio Architecture, Steven Laufer and Ben Laufer, Promenade Senior Living, meeting with Senator Hannon, Chair of the Senate Health Committee



Steve Lampa, Susie Sarkisian, The Kensington, and Nancy Hodes meet with Assemblyman Gottfried, Chair of the Assembly Health Committee

**If you were not able to attend, please consider joining us next year– it is an excellent opportunity to educate lawmakers on senior living issues as well as showcase your community!**



## *NY ALFA Leadership Summit*

NY ALFA is currently planning its first Leadership Summit that will include an Executive Director Roundtable this Fall. This peer group meeting will give our Executive Directors the opportunity to discuss pressing business challenges, stay current with trends in the senior living industry, and expose them to new practices. Stay tuned for additional details on the Summit.

## *Emeritus Senior Living Hosts 3in4 Need More Event*

Several NY Emeritus Senior Living Communities sponsored the 3in4 Association's cross country bus tour aimed at raising awareness about the importance of long term care planning and financing.

Ginger Lynch Landy, Co-Director NY ALFA welcomed those in attendance at Colonie Manor in Latham, NY on June 14th.

Dr. Marion Sommers, geriatric expert and author of Elder Care Made Easier, drove the bus to approximately 50 cities across the US and discussed the critical need for long term care planning.



Uncle Sam Sparklers from  
the Troy Senior Citizens  
Center

Residents and members of the  
community gather at Colonie  
Manor



## PLANNING FOR EMERGENCIES

The Department of Health, the New York City Office of Emergency Management and the New York City Department of Health and Mental Hygiene have teamed up to lay out a framework to facilitate an efficient evacuation process for New York City health care facilities, including adult care facilities, in the event of a hurricane or other natural disaster. Several work groups were established to develop and define the role of a Healthcare Evacuation Center (HEC) to aid facilities in the evacuation process prior to a hurricane or coastal storm. If you would like more information about this initiative, please contact Michele O'Connor at [moconnor@nyalf.org](mailto:moconnor@nyalf.org).





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## ***A PLACE FOR MOM***

A free referral service helping families find nursing homes, assisted living, Alzheimer's care, and other senior care options. Our experienced Eldercare Advisors have assisted thousands of families with the difficult task of selecting senior care.

**For more information, please contact**  
**Diana Pelella at**  
[Diana@aplaceformom.com](mailto:Diana@aplaceformom.com)