

~Leadership Message~

PALA NEWS

Summer 2008



PENNSYLVANIA ASSISTED LIVING ASSOCIATION

Dear Friends,

One of my favorite biographies is contained in the pages of Doris Kearns Goodwin's latest novel "Team of Rivals". It is a detailed chronicle of President Abraham Lincoln's personal and professional triumphs and tragedies. His life was abundant with love, success and soul-shattering grief. His love of God, family and country can be seen in his unyielding faith, devotion and sacrifice. His resounding grief was most evident at the loss of his young son and as he personally encountered the horrific Civil War battlefields. Lincoln, the owner of two failed businesses and loser of six election campaigns prior to ascending to become our nation's 16th President serves as the epitome of perseverance. Whereas our road to new regulations is no where close to that of Mr. Lincoln's, it is still wrought with trials, tribulations and debate. Since October of 2007, PALA has been part of an elite group of diverse constituencies gathered together to aid in the promulgation of the new assisted living licensure regulations. The process has been lead by Deputy Secretary Mike Hall and while spirited discussion has been ubiquitous throughout, Mr. Hall has maintained and mandated high decorum and professionalism during the dissection of each regulatory item.

Like any set of regulations, particularly those that are new and still yet un-interpreted, the forth-coming 2800 regulations offer up a variety of positive safeguards and protections for our residents and team members aimed at elevating performance to the highest quality. Conversely, there are numerous proposed regulations which offer tremendous concern and trepidation. The provider associations recently developed a brief list of what can be called "fatal flaw" regulations discovered in the latest draft. These provisions, if passed "as is" will create hardships to low income citizens across the Commonwealth seeking access to assisted living and may force the stagnation and regression of the assisted living movement in Pennsylvania. Specifically, the 7 most damaging regulations that would limit access by unnecessarily increasing costs are as follows:

- Licensure Fees:** if passed, the new fees would stand at \$500 PLUS \$105.00 per bed.
- Bundling of Core Services:** the language leaves open the possibility of limiting a provider's ability to unbundled charges for core services. In other words, items which you are able to charge separately for today could be defined as a "core service" under the new regulations.
- Administrator Requirements:** would mandate 40 hours a week of coverage and that every facility have a "back-up" administrator with full qualifications 365 days per year.
- Physical Plant Requirements:** doubles the mandated square footage of each resident living unit for both private and semi-private occupancies
- Supervision by an RN:** requires an RN to directly supervise the completion of assessments and support plans
- Discharge of Residents:** potentially elevates the Long Term care Ombudsmen to that of an active negotiator in the realm of both discharge and informed consent agreements.
- Pharmacy:** proposed regulation threatens the integrity of the manner in which prescription drugs are delivered and packaged. Deviating from established safe standards of practice is potentially harmful to our residents.

These provisions represent some of the most severe regulations being proposed by The Office of Long Term Living. There are still others left to ambiguity, vagueness and all around head-scratching. In its effort to advocate for the worthy and honorable items that safeguard and protect the assisted living movement across the commonwealth, PALA is planning its second Annual Advocacy Day this Fall. Please be on the look-out for email communication from our Executive Director and as always, please log onto the PALA website at www.pala.org for further news and notices. Now is the time, more than ever to get off the bench and into the game; not only do your residents and team members need you but so too do many of our fellow citizens on the outside looking in need someone to open the door and preserve the greatness of our industry.

In closing, it is my esteemed honor that I serve as your President and as always, it remains truly honorable for all of us to work toward a Pennsylvania where its citizens are free to choose where they live, in communities accessible to all and in an environment abundant with dignity and respect. Kind personal regards,

Edward J. Corbeil
President

www.pala.org

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Leadership Message	1
Election of Officers / Fall Keynote Speaker	2
Regulations Corner from DPW	3
Assisted Living Residence Update	4
The Perfect Insurance Plan	5
Membership Application	6
Exclusive PALA Member web page	7



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Editors Note:

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PALA Holds Election of Officers

PALA held the election of officers at our annual meeting June 9th in Allentown. Our current officers were nominated by Francisco Peters - Nominating Chairman and were unanimously re-appointed to their respective seats.

- President - *Edward J. Corbeil* - **Sunrise Senior Living**
- Vice President - *Orla Nugent* - **Columbia Cottage**
- Treasurer - *Ted Janeczek* - **Country Meadows Retirement Communities**
- Secretary - *Mary Ellen Keller* - **Philadelphia Protestant Home**

Save the Dates! PALA's Fall Conference & Expo September 17-18th

Keynote Speaker: Jacqueline Marcell ~ Author of Elder Rage

Jacqueline Marcell is a former television executive whose care giving experience resulted in her first (bestselling) book "**Elder Rage**", a Book-of-the-Month Club selection being considered for a film. Over fifty endorsements include: Hugh Downs, Regis Philbin, John Hopkins Memory Clinic, and the National Adult Day Services Association who bestowed on her their Media Award. She also hosts the "Coping With Care giving" radio program www.wsRadio.com/CopingWithCaregiving. Jacqueline is also an International speaker who has delivered over 150 keynotes, including to the Florida House of Representatives. She also writes a Q&A column for AgingCare.com, and Blogs for HealthCentral.com and ThirdAge.com. Jacqueline is a breast cancer survivor who advocates that everyone (especially caregivers), closely monitor their own health. To learn more about our Keynote Speaker go to: www.ElderRage.com

E-mail Addresses Required!

We want to provide our members with timely information on both regulatory and legislative happenings. We need you to provide us with the email addresses of the appropriate individuals at your communities who should be aware of the increased activity that may demand a quick exchange of information and/ or provider intervention.

Our ability to deliver timely information with timely responses will permit PALA to reach out to regulators and legislators on critical issues affecting your operation.

Please email PALA:

DReseatPALA@aol.com

Subject: E-mail Address for: _____

Website: _____

Don't miss out on valuable information. If you do not have e-mail access, please fax:

Community Name: _____

Contact Person: _____

Fax Number: _____

to PALA at **570.586.4024**.

www.pala.org

Founding Members

- Alterra
- Balanced Care Corporation
- Culinary Service Network, Inc.
- Fosnight Retirement Home, Inc.
- IMC Construction
- Lakeview at Pine Run
- NewSeasons AL Communities
- Sunrise Assisted Living
- The Klett Organization
- Windsor Place
- ZA Consulting

Save the Dates!

September 17th & 18th
PALA's Fall Conference
Holiday Inn Grantville

Mike Hall, Deputy Secretary Office of Long Term Living will address the released Assisted Living Regulations and hear Jacqueline Marcell, author of **Elder Rage**.



Regulations Corner From DPW Newsletter

§ 2600.227 (relating to development support plan)

The Adult Residential Licensing Personal Care Home Support Plan is a tool or **supportive map** that provides direction to direct care staff on what care and services a resident requires. It must reflect all the needs identified on the most recent Personal Care Home Assessment. The Support Plan should be easy to understand in clear and concise language that the staff can follow.

Each of the service sections should document the actual services required, how the service will be provided, when the service or care will be provided and specifically who will provide the care. Service sections should not remain blank or be listed as “not applicable.”

The Support Plan must be accessible to direct care staff at all times. Encourage the staff to review the Support Plan, as necessary, to provide appropriate services.

By: Sandra Wooters, Adult Residential Licensing Representative, Southeast Region

§ 2600.190(b) (relating to medication administration training)

A staff person is permitted to administer insulin injections following successful completion of the department-approved medications administration course as well as successful completion of a department-approved diabetes patient education program within the past 12 months.

This training must be provided annually and must be provided by a Certified Diabetes Educator or a nurse practitioner with an Advanced Diabetes Management Certification.

Preparing Plans of Correction

A plan of correction is the corrective action the home must take to ensure the health, safety and well-being of the residents.

The first step in preparing a Plan of Correction is to consider the REASON for the violation. Why did the problem happen? For example, is it a problem on only certain staffing shifts? Are there policies in place, but staff do not know or understand the policy? Is the problem happening because the administrator or staff does not believe it is important? How long has the problem occurred? In order to prepare a plan to address the problem on a long-term, permanent basis, it is critical to understand WHY the problem is happening.

A good plan of correction will demonstrate how the home has corrected the violation and the steps taken to prevent recurrence. The plan should be *effective* in that it makes changes in the organization or the manner in which it conducts business. The plan should address the immediate violation and should also indicate how future violations of this nature or a similar nature will be prevented. It should be concise and address the immediate problem, while the future or “ongoing” plan should include a more detailed approach to prevention.

To avoid repeat violations, the Plan of Correction must be realistic and managed by either the staff or the administrator. The most effective plan of correction occurs when both the administrator and the staff understand the corrective action.

For each violation, the home should submit a “reasonable” target date in which to correct the violation. While some items may simply require the home to take action to correct a particular situation, other items may necessitate involvement by many persons in the form of actions, training and follow-up. In fact, some of the people involved in a plan of correction may be those who provide support services or who contract with the home. This is why it is important to determine a reasonable target date, since others outside the organization may have an impact on the plan.

By: Michael Palermo, Adult Residential Licensing Representative, Central Region and Sandra Wooters, Adult Residential Licensing Representative, Southeast Region

DPW PCH Web Site

The personal care homes Web site for providers has been redesigned.
The Web address is now: www.dpw.state.pa.us/PartnersProviders/LongTermLiving/.



Assisting Living Residences from DPW Newsletter

Facilities that advertise as "assisted living" are currently licensed under the Public Welfare Code as personal care homes pursuant to 62 P.S. § 101 *et seq* and the regulations at 55 Pa.Code Chapter 2600. A new Pennsylvania law addressing assisted living, Act 56 of 2007 was passed on July 25, 2007. The new Assisted Living Licensing Law defines assisted living residences and requires the Department of Public Welfare to promulgate a separate set of regulations to govern their licensure and operation. Some homes currently licensed as personal care homes may meet the new regulatory definition, but many facilities will continue to be governed by the personal care home licensure regulations. The new Assisted Living Licensing Law requires the Department of Public Welfare to establish minimum standards for building, equipment, operation, care program and services, training and staffing and for the issuance of licenses for assisted living residences. The law requires that the regulations for assisted living residences must meet or exceed the regulations for personal care homes in Chapter 2600. Proposed Assisted Living Residence licensing regulations should be published in the mid-July of 2008. Final regulations should be published sometime in calendar year 2009. Once PALA receives notification that the Assisted Living Regulations have been released, we will notify you via constant contact e-mail and Blast Fax.

Legislative Budget and Finance Committee Releases Report on Financial Assistance for Assisted Living Services

PALA has received notification that the Legislative Budget and Finance Committee has completed their report mandated by Act 2007-56 directed the Legislative Budget and Finance Committee (LB&FC) to prepare a report on existing federal and state programs that provide financial assistance for assisted living services for the Select Committee established by Act 56 to develop a public funding proposal for the Commonwealth. The LB&FC met on Wednesday June 25, 2008 and voted to release the report prepared by staff on State Efforts to Fund Assisted Living Services. The report will be available at the LB&FC website (<http://lbfc.legis.state.pa.us>) or by contacting the LB&FC at 717-783-1600 to request a copy.

Mary Ann Nardone, Project Manager extended special thanks to the PALA members who participated in the Department of Public Welfare and Financial Assistance for Assisted Living studies.

Office of Long Term Living Expected to Release Assisted Living Regulations

PALA has received notification from the Office of Long Term Living that the 2800 Assisted Living Regulations are scheduled to be published in the Pennsylvania Bulletin on July 19, 2008. They are, however, still pending the final approval process – and barring any unforeseen circumstances, the Office of Long Term Living stated that at this time they are slated for publication.

PALA's Executive Director, Daneen Reese has been appointed to serve on the "second" Assisted Living Workgroup. The task of this workgroup is to develop an assessment tool that will be used by the Assisted Living Residences.

To view Assisted Living Regulations 2800 go to: www.pabulletin.com.

Visit PALA's New Web Site ~ www.pala.org

PALA is pleased to announce that our web site has been re-designed. The process was longer than anticipated but the product is "well worth the wait." In order for our site to be complete, we need our members to complete the **Community Inquiry** ASAP to take advantage of this value-added member benefit. Send to PALA at 336 S. State Street Clarks Summit, PA 18411.

- ◆ PALA Members receive a complimentary, personalized web page for your community. The PALA web site will post the name of your community, address, telephone number and also the word "VIEW" which leads the person directly to your PALA web page providing your with increased exposure and marketing capability.



PALA 2008 Member Application

Join TODAY!

Receive PALA's timely e-mails keeping you informed on DPW Updates and Legislation.
Receive **SUBSTANTIAL** discounts on our 2008 PALA's Workshops and Conferences

Send your remittance payable to: PALA
336 South State Street
Clarks Summit, PA 18411

Member Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: (_____) _____ FAX : (_____) _____

E-mail Address: _____

Website: _____

Parent Company: _____

Address: _____

Telephone: (_____) _____ Fax: (_____) _____

Email Address: _____

Fee Structure: Calculate your membership dues based on Resident Capacity X \$ 12 per bed.

A. _____ \$100 minimum for 15 beds or less

B. _____ Beds (*Based on Resident Capacity*) X \$12 per bed = \$ _____

1. _____ Charge: MC _____ VISA _____

Credit Card # _____

Expiration: ____/____ Security Code: _____ Amount: \$ _____

Cardholder Signature: _____

Print Cardholders Name: _____

2. _____ Check enclosed in the amount of \$ _____

**Members receive a complimentary webpage
on PALA's newly designed Website: www.pala.prg**



The Perfect Plan - Insurance Coverage that Meets Your Needs and Your Budget

by Scott McCall ~ The HDH Group, Inc.

Over the years many of you have experienced the ups and the downs of the insurance marketplace in terms of either trying to find coverage that fits your needs, or more importantly, at what cost. Industry partner, The HDH Group, Inc. and their dedicated Healthcare Unit, with offices in Pittsburgh, Harrisburg, and Erie have been able to meet those challenges for literally hundreds of their Healthcare related clients. HDH is offering a very competitive coverage inclusive program to address the needs of small (25+ beds) and large assisted living and personal care homes in Pennsylvania.

The Worker's Compensation component will be underwritten by Highmark Casualty. It will feature competitive rates for the industry and have interest free payment terms. For those that do participate a group dividend will be offered and will be based on the entire groups' loss experience and premium size. No surcharge will be made in the event of adverse experience and every facility is underwritten separately and will maintain their own experience modifier. This offers tremendous value for the larger and especially the smaller homes that may not have this type of opportunity.

The second component of the program will include property, auto, and general/professional liability on a "claims made" basis and will be underwritten by One Beacon. There are no deductibles and their terms, conditions and pricing is well worth a look. For those of you that have an occurrence based policy, a very competitive occurrence option can also be obtained.

The HDH Group contains an outstanding service structure that is provided at no additional cost including: a dedicated Healthcare Division, claims management support to help control, mitigate, assist you in an unforeseen claim situation and we offer loss control support. The application processes for both components of this outstanding program is simple and turn around time can be as little as 7 to 10 business days. HDH works for you, not the insurance carrier.

Here's what providers have told us about our new products:

Tom Sandrock – The Laurels "Earlier this year we decided to take a look at some options and had asked Scott McCall of HDH to explore this opportunity with us. Not only were we able to save a significant amount of money, but the terms and conditions of what was offered could not be beat by anyone. All of this is backed up by an outstanding service structure."

Frank Geramita – Beechwood Court "We have been with HDH for some time. Their services and knowledge of our industry speaks for itself, and we have been quite pleased. HDH has always directed us to a most competitive and service oriented insurer, especially in Highmark."

Mary Jane Dugas– Grace Park ~ Seniors Living Well "Since coming to HDH in the 4th quarter of 2007, not only were we able to save monies from our previous insurers, but the service and resources available to us now have been outstanding. I am certain that if other facilities take a look at this option, they will be as satisfied as us."

For more information, contact Scott McCall at 1.800.434.7760



Complete this form and send to PALA including a PHOTO of your community for your exclusive PALA Member page on our web site.

Name of Community: _____ Website: _____

Address: _____ County: _____

Telephone: _____ FAX: _____

Community Director: _____ E-mail: _____

Marketing Director: _____ E-mail: _____

Short overview/advertisement for your community:

Services Included:

- ___ Assist with Personal Care ___ Assistance with Medications ___ Phone
___ 3 Meals & Snacks ___ Housekeeping ___ Transportation
___ Social Activities/Recreation Room ___ Clothing/ Linens Laundered

Community Details:

Total Capacity: _____
Room types: Suites _____ Private _____ Shared _____
Pricing Starting at: _____

Community Features:

- Room/suite amenities:
___ Balcony/Patio ___ Telephone Jack
___ Microwave/Refrigerator ___ Cable
___ Shower /Bathtub ___ Internet wiring
Other: _____

Common Areas:

- ___ Beauty/Barber Shop ___ Private Dining Room ___ Library,
___ Chapel/Worship Room ___ Parking ___ Smoking Area
___ Dining Room(s) ___ Exercise Room ___ Activity Room
Other: _____

How To Survive Caring for Aging Parents

-or- Take My Father... Please!

Elder Rage

Jacqueline Marcell, author of

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September 17 & 18th

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