

Healthcare Facility Regulation Division: PCH Rule Changes Chapter 111-8-62

Presentation to
Personal Care Home Providers



Director of Personal Care Home Program



DCH Mission

ACCESS



Access
to affordable,
quality health
care in our
communities

RESPONSIBLE



Responsible
health planning
and use of
health care
resources

HEALTHY



Healthy
behaviors and
improved
health
outcomes



DCH Initiatives FY 2009 and FY 2010

FY 2009

- Medicaid Transformation
- Health Care Consumerism
- Financial & Program Integrity
- Health Improvement
- Solutions for the Uninsured
- Workforce Development
- PeachCare for Kids™ Program
- Stability
- Customer Service


FY 2010

- Medicaid Transformation
- Health Care Consumerism
- Financial & Program Integrity
- Health Improvement
- Workforce Development
- Emergency Preparedness
- Customer Service




Learning Objectives

- Identify changes to the Personal Care Home (PCH) Regulations
- List differences in regulatory requirements for Memory Care Services versus Memory Care Units or Homes




General PCH Rule Changes

- Department of Human Resources to Department of Community Health (DCH)
- Office of Regulatory Services to Healthcare Facility Regulation Division
- Code and statute sections alignment
- Updated Adult Protective Service language



Summary of PCH Rule Changes – 2

- Definitions
- Application for Permit
- Personnel
- Physical Plant Health and Safety Standards
- Residents' Rights
- Reporting
- Memory Care Services
- Memory Care Units or Homes



.03 Definitions

Memory Care Services -

- (q) the additional **watchful oversight systems and devices that are required for residents who have cognitive deficits** which may impact memory, language, thinking, reasoning, or impulse control and which place the residents **at risk of eloping**, i.e., engaging in unsafe wandering activities outside the home



.03 Definitions - 2

Memory Care Unit or Home -

- (r) the **specialized unit or home** that either **holds itself out** as providing additional or specialized care to persons with diagnoses of probable Alzheimer's Disease or other dementia who may be at risk of engaging in unsafe wandering activities outside the unit or home (eloping) or **charges rates in excess** of those charged other residents because of cognitive deficits which may place the residents at risk of eloping



Definitions – 3

Owner -

- Revised to reflect the law ...
any individual or any person affiliated with a corporation, partnership, or association with 10 percent or greater ownership interest in the business or agency licensed as a personal care home and who:
 1. Purports to or exercises authority of an owner in the business or agency;
 2. Applies to operate or operates the business or agency;



Definitions – 4

Owner cont.

3. **Maintains** an office on the premises of the facility;
4. **Resides** at the facility;
5. Has **direct access** to persons receiving care at the facility;
6. Provides **direct personal supervision** of facility personnel by being **immediately available** to provide assistance and direction during the time such facility services are being provided;
7. Enters into a contract to acquire ownership of such a business or agency



.05 Application for Permit

- Each application for a permit shall be accompanied by
 - a floor sketch ... and
 - (new) documentation of ownership or lease agreement for the property on which the home will be operated



.10 Personnel

- Required training includes:
 - Certification in First Aid
 - Certification in Cardiopulmonary Resuscitation (CPR) (new) where the training course requires return demonstration of competency
- At least one staff person to be present at all times when *residents are present* in the home



.10 Personnel – 2

- Each employee must have a Tuberculosis (TB) screening and a physical examination by
 - A licensed physician
 - (New) nurse practitioner
 - (New) physician's assistant
 - Maintained in personnel file



.16 Admission

- Prior to admission, the resident must provide a physical examination conducted by
 - A licensed physician
 - (New) nurse practitioner
 - (New) physician's assistant
- Required within 30 days of admission ... and ...
- A screening for TB required within (new) 12 months prior to admission



.25 Resident Files

- Advance Directives Statutory Change
- Georgia Advance Directive for Health Care
- Living Wills and Durable Powers of Attorney executed prior to July 1, 2007 are valid
- See Revised Advance Directive Information available online



.31 Reporting

- Added requirement
 - Mattie's Call requires HFR notification within 30 minutes of law enforcement notification
- Added standardized reporting form to obtain consistent information



Two New Sections

- .19 Requirements for Memory Care Services
- .20 Additional Requirements for Specialized Memory Care Units or Homes



.19 Memory Care Services

Definition -

- (q) the additional **watchful oversight systems and devices** that are **required** for residents who have **cognitive deficits** which may impact memory, language, thinking, reasoning, or impulse control and which place the residents **at risk of eloping**, i.e., engaging in unsafe wandering activities outside the home



.19 Memory Care Services

- Homes that serve residents with cognitive deficits must
 - Develop, train and enforce policies and procedures for staff
 - Actions staff take if a resident elopes
 - Utilize **effective** safety devices which do not impede the residents' mobility or violate fire safety standards



.19 Memory Care Services – 2

- Locks on exit doors must meet fire safety standards, i.e.,
 - Locking device releases when
 - fire alarm or sprinkler system is activated;
 - under continuous pressure for 30 seconds or less;
 - in event of a power failure



.19 Memory Care Services – 3

- Keypads must include
 - Directions for operation such as codes posted on the outside of the door
 - Exception: on exterior doors
- PCH must have pictures of residents



.20 Memory Care Units or Homes

- Section .19 – Memory Care *Services* – applies to any facility that serves residents at risk of wandering
- Section .20 – Specialized Memory Care *Units or Homes* applies only to certain facilities



.20 Memory Care Unit

Memory Care Unit -

- (r) the **specialized unit or home** that either **holds itself out** as providing additional or specialized care to persons with diagnoses of probable Alzheimer’s Disease or other dementia who may be at risk of engaging in unsafe wandering activities outside the unit or home (eloping) or **charges rates in excess** of those charged other residents because of cognitive deficits which may place the residents at risk of eloping



Written Description

- | | |
|--|---|
| <ul style="list-style-type: none">• Philosophy and mission• How services differ from PCH• Staffing, including job titles, training, and education• Admission procedures, including screening criteria• Assessment and service planning | <ul style="list-style-type: none">• Physical environment, safety features• Activities, frequency and type• Fee structure for services• Discharge criteria and procedures• Emergency procedures• Family involvement and family support programs |
|--|---|



Disclosure of Information

- The written description of the special care unit must be disclosed to
 1. Any person on request and
 2. The family or resident's representative before admission



Physical Design, Environment & Safety

- Multipurpose rooms
- Secured outdoor spaces and walkways; wheelchair accessible
- High visual contrasts
- Adequate lighting
- Free movement of residents
- No more than two residents per bedroom
- Individually identified entrances
- Automated device or system for alerting staff
 - Exception for exits staffed by receptionist or other staff member **IM13**
- Communication system
- *Guidelines for Design and Construction of Healthcare Facilities*



Staffing and Initial Staff Orientation

- Sufficient staffing
- RN or LPN under supervision
- One awake staff member
- Sufficient numbers of trained staff at all times
- Orientation program
- Orientation program includes
 - Requirements under .10
 - Philosophy
 - Policies and Procedures
 - Common behavior problems characteristic of residents and recommended behavior management techniques




Slide 26

IM13 Unclear of me what is meant here.
Iris McIlvaine, 3/17/2010


Initial Staff Training

- Nature of Alzheimer's Disease
- Common behavior problems
- Recommended behavior management techniques
- Communication skills
- Positive therapeutic interventions and activities
- Role of the family, family support needs
- Environmental modifications
- ISPs and updates
- New developments
- Skills for recognizing changes
- Skills for maintaining safety




Special Admission Requirements

- Physical examination
- Form provided on DCH Web site
- Resident has probably Alzheimer's diagnosis and symptoms requiring specialized unit
 - Exception - companion admitted with resident who has Alzheimer's diagnosis ^{IM14}
 - Does not require 24-hour skilled nursing care



Post-Admission Assessment

- Resident's family supports
- Activities of daily living
- Physical care needs
- Level of behavior impairment




Slide 29

IM14 Unclear here, too.
Iris McIlvaine, 3/17/2010

Individual Service Plans

- Post-admission assessment is basis for ISP
- Developed by a team
- Direct care staff included on team
- Team signs ISP
- ISP shared with direct care staff


- ISP requirements
 - Description of care and social needs; services and frequency
 - Resident's preferences
 - Behavior/interventions
 - Staff responsible for implement the ISP
 - Evidence of family involvement
 - Quarterly updates



Therapeutic Activities


- Activities are appropriate to individual needs
- All required weekly
- Some required daily

- Gross motor activities
- Self care activities
- Social activities
- Crafts
- Sensory enhancement activities
- Outdoor activities



Effective Dates

- Rules - effective 12/9/09
- .19 Memory Care Services – effective 12/9/09
- .20 Memory Care Units or Homes – effective 3/9/10
90 days after effective date of these rules



Resources

- www.dch.ga.gov – The DCH Website. Personal Care Home information can be found under Healthcare Facility Regulation
- http://www.helpguide.org/elder/alzheimers_disease_dementias_caring_caregivers.htm - a website with various topics on Alzheimer's disease
- <http://alzheimers.about.com/od/caregiving/a/communication.htm> - another of many websites devoted to Alzheimer's related topics
- <http://www.alz.org/georgia/> - The Alzheimer's Association of Georgia website
- <http://www.medicalert.org/safereturn>



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