Oversight of Assisted Living Facilities, Innovations and Lessons Learned
October 1, 2012

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Florida Agency for Health Care Administration
Florida ALF Licenses

- Standard-Assistance with or supervision of activities of daily living and self-administration medications
  - Appropriately licensed personnel may administer medications
- Limited Nursing – Allows for the provision of certain “nursing” services
- Extended Congregate Care – Allows for the provision of more complex services
- Limited Mental Health – Required if the ALF has more than two mental health residents receiving OSS or social security disability
Florida ALF Growth

• 32% Increase in Assisted Living Facilities
  – 2,272: 2003
  – 3,009: June 1, 2012

• 80% Increase in ALFs with Limited Mental Health

• 7,824 OSS Recipients Enrolled in the State
Florida ALF Demographics

• ALF with six or fewer beds: 52.43%
• Smallest ALF size = 2 beds
• Largest ALF size = 495 beds

-As of June 1, 2012
Miami ALFs

- ALF with six or fewer beds 80.81%
  - 817 Facilities
- 1011 ALFs in Miami and 753 are LMH (75%)
- 69% of Florida LMH ALFs are in Miami
  - 1090 LMH ALFs in Florida

-As of June 1, 2012
# ALF Inspections & Violations

<table>
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<tr>
<th></th>
<th>FY 06/07</th>
<th>FY 07/08</th>
<th>FY 08/09</th>
<th>FY 09/10</th>
<th>FY 10/11</th>
<th>FY 11/12*</th>
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<tr>
<td>Surveys</td>
<td>1,726</td>
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<td>1,725</td>
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<tr>
<td>Class I</td>
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<td>41</td>
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<td>Class II</td>
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<td>Class III</td>
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<td>Class IV</td>
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<td>Total Class Violations</td>
<td>13,345</td>
<td>14,670</td>
<td>11,834</td>
<td>14,323</td>
<td>12,887</td>
<td>9,960</td>
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*As of June 1, 2012
Agency Actions

• July 1, 2011 through June 1, 2012
  – The Agency issued 595 Final Orders for ALFs
  – Suspensions and Moratoria on Admissions: 11
  – Denials: 9
  – Revocations: 17
  – Closed/Surrendered: 38
  – Imposed $1,513,046.65 in sanctions by Final Order
Agency Developments & Updates

• Weekly facility actions meetings to coordinate licensure and Medicaid issues
• Monthly press releases regarding sanctions, closures, and other actions
• Enhanced Florida Health Finder by adding the Medicaid services provided by the facility and Smartphone Apps to locate facilities faster
• ALF Enforcement Unit established
• Routine interagency meetings with Agency partners
Agency Developments & Updates

• Statewide joint training for administrators, providers coordinated with trade associations
• ALF awareness training for waiver support coordinators and agency staff
• Working with Department of Elder Affairs in the Negotiated Rulemaking process
• Referral matrix was developed to guide surveyors and other Agency staff on how/who/when to contact other agencies
Agency Developments & Updates

- ALF Enforcement Unit established
  - A 10-person team responsible for statewide oversight of assisted living facility inspection enforcement, serve as liaisons with local law enforcement and other partners including Ombudsman
  - Separated functionally from the field office survey staff and reports quality assurance results to facilitate oversight of the program to the State Survey Agency Director
Revised Assisted Living Survey Process

- Resident focused
- Sample selection for interviews with residents is expanded beyond what was previously utilized
Assisted Living Resident Centered Survey Process Overview

• While each facility must comply with all regulatory requirements, the revised survey process focus is on identified CORE areas
  – Quality of Life
  – Quality of Care
Assisted Living Resident Centered Survey Process Overview

• Core Areas
  – Resident Rights
  – Resident Care & Services
  – Nutrition and Food Services
  – Physical Environment and Safety
  – Staff Training
  – Medication Management
Assisted Living Resident Centered Survey Process Overview

• Revised Survey Activity
  – Abbreviated Survey
  – Standard Survey
  – Revised Worksheets
    • Worksheets in electronic format
  – Limited Nursing Services and Extended Congregate Care Monitoring Visits
Assisted Living Resident Centered Survey Process Overview

• Abbreviated Survey

The abbreviated survey will be used for facilities with good compliance history that meet criteria outlined in 429.41 (5), FS and 58A-5.033(2), FAC

• No Class 1 and,
• No Class 2 and,
• No uncorrected Class 3 and,
• No confirmed Ombudsman Council complaints and,
• No confirmed licensure complaints within two licensing periods prior to the current survey, and
• Facility must have two survey periods under the current owner that meet the criteria
Assisted Living Resident Centered Survey Process Overview

• Abbreviated Survey
  – The abbreviated survey process focuses on observations and interviews in order to evaluate how the individual needs and preferences of the residents are met
  – Resident interviews are key to this process
  – Allows surveyors to focus on residents and less on paper compliance
Assisted Living Resident Centered Survey Process Overview

• Abbreviated Survey
  – A Standard survey will be “triggered” if any of the following problems are identified
    • Fire safety violations that threaten the life of a resident and which confirmed as serious by the local fire authority having jurisdiction
    • Class 1 or Class 2 deficiencies are identified
      – Determined by severity of the deficient practice
    • Staff rendering services for which the facility is not licensed
Assisted Living Resident Centered Survey Process Overview

- Standard Survey Process
  - **Resident observations** and **interviews** are the primary methods for gathering evidence.
  - Surveyors conduct interviews with **families** and **staff** to capture a full picture of life at the ALF and determine if the resident’s dignity and safety are maintained.
  - Sample size is 25% of census (min 2 max of 10)
Assisted Living Resident Centered Survey Process Overview

• Observations
  – If in the previous 12 months prior to the survey:
    • Substantiated allegations of abuse, neglect or exploitation;
    • Multiple elopements of one resident or an elopement resulting in death; or
    • Substantiated allegations of inappropriate residents living in the facility; or
    • Indicators of inappropriate residents

Observation of 100% of the residents physically in the facility and use data obtained from those observations to supplement the sample for the current survey.

GOAL: ENSURE GENERAL WELFARE OF RESIDENTS
Assisted Living Resident Centered Survey Process Overview

• Specialty Licenses: For both Abbreviated and Standard surveys, if the ALF holds a specialty license, at least one resident receiving those services will be included in the sample
  – Limited Mental Health-Compliance with community living support plans
  – Extended Congregate Care-Compliance with environmental standards and residency
  – Limited Nursing Services-Compliance with nursing services
Assisted Living Resident Centered Survey Process Overview

• LNS and ECC Monitoring Visit Tasks
  – Interview and observe residents receiving special services, medications, and treatments
  – Interview families or representatives regarding their opinions of care
  – Interview staff to determine if they are qualified to perform specialized services (nursing)
  – Review ALF files for required documentation (nursing progress notes and monthly assessments)
Assisted Living Resident Centered Survey Process Overview

- Revised ALF Survey Process and Electronic Forms can be found at the link below:
  http://ahca.myflorida.com/MCHQ/Field_Ops/index.shtml
Lessons Learned

• Adequately identify data elements on reports used internally and provided to the public
  – Clear definition of data being reported
  – Data source
  – Timeframe
• Develop a routine for reporting other than during a crisis
Contact

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