



Department of Elder Affairs Report to the Assisted Living Workgroup – Phase II

JUNE 25, 2012

DOEA Activities Addressing Phase I Recommendations

- Resident Advocacy (pp. 19-20)
 - Ombudsman Program
- Training/Staffing (pp. 15-17)
 - Elder Housing Unit
 - Negotiated Rulemaking
- ALF Administrator Qualifications (pp. 14-15)
 - Negotiated Rulemaking

Long-Term Care Ombudsman Program Activities



Resident Advocacy

Recommendation:

1. Focus Ombudsman oversight on communication with residents and not license regulation.

Activity:

Developed rules and new Administrative Assessment.

- focus shifted to resident centered advocacy
- consultative, best practices approach

Long-Term Care Ombudsman Program Activities



Resident Advocacy

Recommendation:

2. Train Ombudsman volunteers on regulatory requirements to recognize obvious deficiencies.

Activity:

Developed standardized ombudsman certification training.

- comprehensive online training is first in the nation
- online continuing education training modules
- recognized by National Ombudsman Resource Center

Long-Term Care Ombudsman Program Activities



Resident Advocacy

Recommendation:

3. Recruit former State and Local Advisory Council members to expand Ombudsman efforts.

Activity:

Developed full-time recruitment manager position.

- targeted former Council members, retired state employees
- created internship program for students
- increased number of volunteers by 24%

DOEA Elder Housing Unit Activities

Training/Staffing

Recommendation:

1. Increase the credibility and professionalism of the training process.

Activity:

- Initiated quarterly ALF Core Trainer conference calls.
- Developing an evaluation tool to determine trainer effectiveness and outcome.
- Updating Administration of Medication guide.

DOEA Elder Housing Unit Activities

Training/Staffing

Recommendation:

2. Update core test annually, ensure the test is informed by the best research and best practices knowledge.

Activity:

- Currently updating exam questions to comport with legislative changes (background screening / licensing).
- Developing revised core test to be competency based with goal of identifying individuals who demonstrate the core competencies to serve as an ALF administrator.

DOEA Elder Housing Unit Activities

Training/Staffing

Recommendation:

3. Allow flexible training to meet individual needs, training and exam should be in staff native languages.

Activity:

Working with Univ. of South Florida to establish a state level Spanish working committee.

- Translation of core test, statutes, and rules.
- Identify and mentor Spanish core trainers, administrators, and key personnel.

DOEA Initiation of Negotiated Rulemaking

Use Negotiated Rulemaking to enact various Phase I Recommendations

- Many recommendation topics are currently in rule;
- Issues have been vetted through legislative research and reporting, stakeholder discussion, and public testimony;
- Several agencies have jurisdiction over ALFs; and,
- There are a variety of stakeholders with competing interests.

DOEA Initiation of Negotiated Rulemaking

What is Negotiated Rulemaking?

- Rule development stage of rulemaking.
- Authorized by statute: “[n]egotiated rulemaking uses a committee of designated representatives to draft a mutually acceptable proposed rule.” § 120.54 (2)(d), Fla. Stat.
- Consensus-based collaborative process.
- Shared control, influence from non-agency parties increases.

DOEA Initiation of Negotiated Rulemaking

Phase I Recommendations addressed by Rulemaking

1. Training/Staffing

- Expand core curriculum from 26 to 40 hours
- Include specific additional topics
- Raise core test passing score from 75% to 80%
- Supplemental competency tests for ECC and LMH
- Create additional orientation and in-service training for staff with comprehension test

2. ALF Administrator Qualifications

- Increase educational and/or experience requirements

DOEA Initiation of Negotiated Rulemaking

Current activities of the ALF Negotiated Rulemaking Committee may be accessed at: http://elderaffairs.state.fl.us/doea/alf_rulemaking.php.

- List of committee members
- Schedule of meetings
- Minutes of meetings
- Draft rules determined by vote
- Work in progress

Questions?

