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**2017 Assisted Living Advisory Council Annual Report**

The Legislature established the Assisted Living Advisory Council (ALAC) under Chapter 19D, § 17 of Massachusetts General Laws. The purpose of the ALAC is to advise the Secretary of the Executive Office of Elder Affairs (EOEA) regarding the regulations governing the certification of Assisted Living Residences (ALRs) in the Commonwealth. The ALR certification regulations (651 CMR 12.00) were initially promulgated in 1996 and were subsequently updated in 2002, 2006, and 2015. The ALR regulations were most recently reviewed in 2016, resulting in modifications that were enacted in January 2017.

**Membership**

The ALAC includes the Secretary of EOEA (or designee), the Secretary of the Executive Office of Health and Human Services (or designee), and the Undersecretary of Housing and Community Development (or designee). The ALAC also includes six appointed members. The Secretary of EOEA serves as chair of the ALAC.

Below is a list of the 2017/2018 members including their current status on the ALAC.

**2017/2018 ALAC Members**

<b>Representing</b>	<b>Current Appointee</b>
Resident consumer interest	Mary Jo Boynton
Resident consumer interest	Kimberly Martone
Resident consumer interest	Dr. Lucian Leape
Sponsor of ALR	May Shields, COE, Hearth Inc.
Sponsor of ALR	Brian Danaher, VP and Deputy General Counsel, Benchmark Senior Living
At-Large	Linda Cornell, President/CEO of VNA of Eastern Massachusetts and Visiting Nurse Assisted & Senior Living Communities
EOEA Designee and Chair	Alice Bonner, Secretary
EOHHS Designee	Patricia Marchetti, Director, Assisted Living Certification, EOEA
Undersecretary Housing and Community Development Designee	Karen Bresnahan, Deputy Director of Policy

In 2017, the ALAC members offered constructive suggestions relating to policy changes. EOEA is grateful to them for their time, energy, dedication and commitment.

## **Review of Past Year**

The ALAC met on **January 24, 2017**. During the meeting, EOEА:

- Gave an update on the status of ALAC appointments: there were three new appointments to the council and one spot remained unfilled.
- Announced that the responses to the ALR survey were posted on EOEА's website and that the department would analyze the responses to find trends.
- Announced that the changes to ALR regulations had been published and put into effect on January 19th.
- Discussed the updates to the EOEА website to make highly-requested documents available on the website. The most request documents were finding letters for ALRs.
- Announced that the new addition of the consumer guide would be available in a few months.
- Noted they were invited to MassALA's annual regulation training.

At the start of the meeting, Matthew Casey mentioned that ALAC procedures could be formalized in writing and Senator Moore brought up legislation to change appointment lengths from one to four year terms.

While discussing the ALR survey, Secretary Bonner stated that the greatest challenge for ALRs is keeping people in their homes without over-medicalizing them. Brian Danaher and Dr. Lucien Leape asked for more specifics on the survey to validate it.

After announcing the changes to ALR regulations, there was a lengthy discussion of the two overnight staff exemption. Secretary Bonner and Assistant Secretary Malone also mentioned the work of Dementia Friendly Massachusetts.

Emily Cooper and Matthew Casey briefly discussed how to redact the documents posted on the website to ensure privacy. Finally, the council discussed industry updates including best practices from other states.

The ALAC met on **March 28, 2017**. During the meeting, ALAC members and EOEА staff:

- Announced that everyone on ALAC had been sworn in but the At-Large seat was still open.
- Announced that the ALR Consumer Handbook was available on EOEА's website.
- Unanimously approved the 2016 ALAC Annual Report.
- Gave updates on creating the framework for the website.
- Announced that EOEА had received 12 requests for the special care unit waiver.

In a discussion of consumer guides, Secretary Bonner brought up the importance of Options Counselors and said that EOEА wants to work with organizations to train health care providers because many are not educated on options for older people.

ALAC also had an extensive discussion on issues with posting rates for ALRs and best practices in Maryland, Wisconsin, Oregon, and New Hampshire. They then discussed the safety of the special care unit waiver.

During industry updates members mentioned upcoming events and a conference MA-ALA was planning: Nurses and Clinical Director training on April 11, 2017 in Worcester, the MA-ALA Awards Banquet on May 8, 2017. The LeadingAge MA Annual Conference is scheduled for May 11, 2017.

Finally, the council discussed moving their December meeting because it would fall on or near Christmas.

The ALAC met on **June 27, 2017**. During the meeting, ALAC members and EOE staff:

- Gave an update on the status of appointments and interest in making two or three year term limits.
- Announced that all the Annual Aggregate Data Reports had been received and would probably be available to the public by July 30, 2017.
- Updated the council on the framework for the improved website and what data would be available.
- Announced the new streamlined process for reporting elder abuse. There would be a single phone number that would reach a 24/7 call center.
- Updated ALAC on the Governor's Council to Address Aging in Massachusetts. Robin Lipson also announced upcoming listening sessions and the Council's goal to have a blueprint by early 2018.
- Announced that the Olmstead plan was being updated.

As part of the group conversation, the council discussed ALR pricing updates, elder abuse follow ups and incident reports, and potentially making additional listening sessions in Boston for the Governor's Council to Address Aging in Massachusetts.

In addition, Assistant Secretary Malone and Emily Cooper outlined the process for updating the Olmstead plan. The Olmstead Planning Committee was formed of members from all departments in the Executive Office of Health and Human Services and the Department of Housing and Community Development and they would hold Advisory Councils and listening sessions to create a plan that would encompass all the needs of people with disabilities. One important facet of the plan was reducing bullying and the council discussed how it could be addressed.

Finally, the council discussed industry updates. Martha Chamberlain and Brian Danaher mentioned a recent training by MA-ALA that was productive; and Elissa Sherman mentioned an upcoming LeadingAge rally in Washington, D.C. for affordable housing for older people.

The ALAC met on **September 26, 2017**. During the meeting, EOE staff:

- Announced that the Governor's Council to Address Aging in Massachusetts was taking public comments to formulate recommendations to the Governor.
- Informed the council that 13 new ALRs would open soon.
- Announced new regulations for all ALRs to have an emergency preparedness plan.
- Heard about the Common Sense Healthcare Bill in the State Senate.

A guest from Benchmark, Leigh Anne Capello, explained the process her company took in building a social and affordable ALR, known as the BRANCHES model. ALAC members asked questions about the cost and various social and health-care aspects of the ALR.

Later, Secretary Bonner outlined the outcomes from four listening sessions the Governor's Council to Address Aging in Massachusetts had held. The most common suggestions were related to housing, transportation, and economic security.

As part of the group conversation, the council discussed new ALRs and using state surplus land to create lower cost housing; emergency preparedness including MassMap, accepting consumers displaced in a disaster, and ALR emergency plan reviews; and, a potential change to the Frail Elder Waiver by Scott Erickson.

### **Coming Year**

The ALAC is scheduled to convene at least four times during 2018: January, March, July and September. The December meeting may be moved into January to accommodate holiday schedules.

### **Closing**

EOEA is grateful to the Legislature for its continued interest in the ALR certification process, the regulations, and for creating the ALAC. With continued growth in the elder population and ALRs, the ALAC will continue to serve an important function in working with the EOEA Secretary to help ensure the safety and security of elders who choose to live in assisted living.