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2018 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. This report reflects the ALAC activities from January-December, 2018.

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.

2018 ALAC Members

Representing	Current Appointee
Resident consumer interest	Mary Jo Boynton
Resident consumer interest	Kimberly Martone
Resident consumer interest	Vacant
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 of Assisted Living, EOEA
Undersecretary of Housing and Community Development Designee	Karen Bresnahan, Deputy Director of Policy

During the 2018 calendar year, ALAC met five times. This is because the December 2017 meeting was deferred to January 2018 as a result of winter weather and the holiday season.

Over the course of the year members offered constructive suggestions relating to policy changes. EOEa is grateful to them for their time, energy, dedication and commitment.

Review of Past Year

ALAC met on **January 29th, 2018**. During the meeting, EOEa:

- *Presented the members with a draft of the 2018 Annual Aggregate Data Report questionnaire* - ALAC members suggested adding a question that would ask the residence how many residents are enrolled in SCO, PACE, or an OneCare plan
- *Announced that Mass.gov is moving to a new platform and that information is in the process of being uploaded to the new website* - EOEa discussed the plan make information about each assisted living available on the website as soon as possible and also reminded members that anyone can also file a public records request. As part of this discussion, the members talked about including a list of rates for ALRs on EOEa's website
- *Asked the members about staffing ratios in ALRs and their thoughts on appropriate staffing levels* - EOEa requires that the residence have a sufficient number of staff on hand to meet the needs of their residents. EOEa regulations state that there be no fewer than 2 staff available for the overnight shifts.

ALAC met on **March 27th, 2018**. During the meeting, EOEa:

- *Presented a draft ALR Monthly Rate Disclosure Form* – the goal of the form is to offer some standardization of pricing for the services required in ALRs under the MA Assisted Living Regulations 651CMR 12.00. The form encourages potential residents to consult EOEa's Consumer Guide and to contact individual ALRs to ask for their current rates and services offered. The form also states that a resident's needs could impact the actual monthly rate. EOEa would ask ALRs to submit updated monthly rates to EOEa once or twice, per year. Monthly rates would be requested for single occupancy and shared occupancy. EOEa would also ask ALRs to identify services included in the rate that would not cause the resident to incur an additional fee. Several ALAC members suggested adding additional criteria for EOEa to track, such as transportation, and medication management. EOEa asked that ALAC comments be sent to EOEa by May 1st, 2018.
- *Discussed person-centered care planning and interventions for individuals with various forms of dementia and mental/behavioral health issues* - several ALAC members stated the importance of having Social Workers onsite for the residents to talk with.

ALAC met on **July 24th, 2018**. During this meeting, EOEa:

- *Announced that EOEa's website has a searchable map and database of all ALRs across Massachusetts* - each ALR in Massachusetts has a profile on EOEa's. General information about the ALR can be found there, such as; contact information, parking information, number of units (special care and traditional care), and the ALR's website. In the future, the most recent findings/compliance letter will be posted for each ALR

- *Reviewed the ALR Monthly Rate Disclosure Form* - the form sent out the ALR network for feedback. EOEa will ask 3 or 4 ALRs to pilot it, once feedback has been incorporated.
- *Discussed the new Disclosure Form* - This form would be a cover sheet and would clarify for the prospective resident what documents they are signing at the time of move-in. It would clarify that an ALR is not a nursing home. At the end of the cover sheet a staff person would initial that they have gone over it with the new resident. The new resident would initial it to confirm that they have received the information.
- *Discussed the role of ALR staff in coordinating with outside healthcare providers* – members talked about how in New York the resident is required to have a case manager whose job is coordinate that person’s care.

ALAC met on **September 25th, 2018**. During this meeting, EOEa:

- *Presented the 2017 Annual Aggregate Data Report with the members* - EOEa noted that the data shows that there were not significant changes from the previous year’s report. However, there were some incremental increases in areas such as: ambulation assistance, assistance with eating, and other activities of daily living.
- *Spoke with members about LGBTQ training* – in the near future staff at every agency that EOEa oversees and contracts with will be required to take this training within 9 months of hire. The training will be online and will take about an hour to complete. After the training there would be a short test for the staff person to complete.
- *Presented the ALAC Annual Report for review and approval*
- *Announced that Dr. Lucian Leape resigned from ALAC.*

ALAC met on **December 18th, 2018**. During the meeting, EOEa:

- *Announced that Secretary Bonner will be leaving the Executive Office of Elder Affairs. Her last day will be Friday, January 18th, 2019.*
- *Presented a draft of new forms* - the Residency Agreement Informational Summary form, Revised Certification Renewal Process Memorandum, and Plan of Correction form will be implemented beginning January 1st, 2019. Members proposed several recommendations with regard to language and format of the forms
- *Also presented a draft Revised Certification Renewal Process Memorandum and Plan of Correction form.*

Coming Year

The ALAC is scheduled to convene four times during 2019: March, July, September, and December. 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.