**2023 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 several times, including in 2002, 2006, 2015, 2020, 2021, and 2022. The ALR regulations were most recently reviewed in 2023 resulting in modifications that were enacted in March 2024. This report reflects the ALAC activities from January-December 2023.

**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 and the Secretary of EOEA serves as chair. Below is a list of the 2023 ALAC members:

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| **Representing** | **Current Appointee** |
| Resident consumer interest | Kimberly Martone |
| Resident consumer interest | David Santos |
| Resident consumer interest | Mary Jo Boynton |
| Sponsor of ALR | Brian Danaher, VP & Deputy General Counsel,Benchmark Senior Living |
| Sponsor of ALR | Matthew Salmon, CEO,Salmon Health and Retirement |
| At-Large | Walter Ohanian, PresidentThe Grantham Group |
| EOEA Designee and Chair | Elizabeth Chen, Secretary of EOEA |
| EOHHS Designee | Vacant |
| Director of Housing and Community Development or designee | Tyler Newhall |

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

* At the April 2023 ALAC meeting, it was noted that the public health emergency will end on May 11, 2023. At that time, masks will no longer be required in health care settings. ALR staff should continue to follow DPH’s recommendations when caring for residents with suspected or confirmed COVID-19.
* The allowance of skilled nursing services in ALRs has also been extended for one year to the end of March 2024. The Secretary noted that documentation concerning skilled services (e.g., medical orders, resident consent, evaluation and notice of changes) should be kept in the resident’s file.
* Additionally, the minimum staffing requirement waiver has been extended by one year in special care residences. However, ALRs are still required to have sufficient staffing as required by EOEA’s regulations. The training waiver has been extended by one year as well, but new staff are still required to have adequate experience to fulfill their position safely and professionally. They must receive sufficient on-the-job training.
* The ALR Team added a new Assistant Director, Marie Earnshaw, and is working on creating a new incident reporting platform called OnBase, which will replace the Dynamics platform that has been in place since 2019. It is expected that the new system will be operational in 2024.
* EOEA is developing a Resident Transfer Coversheet which will be recommended for use when a Resident is transported to another facility or a hospital emergency department. The intent of the coversheet is to help ensure that necessary information travels with the Resident so care providers have up to date records prior to treatment.
* EOEA also creating a Resident’s Rights Chart to provide Residents with an easy to read and understand list of rights from the controlling regulations.
* At the June 2023 ALAC meeting, Secretary Chen advised the ALAC that the EOEA offices at One Ashburton Place are undergoing renovations and EOEA will be temporarily housed on the 3rd floor for about one year. The ALR Unit will be housed at 600 Washington Street, but the temporary move will not affect agency functions.
* MassNAELA gave a presentation regarding suggested improvements that could be made to the ALR regulations. The suggestions, and any others submitted, including those from MassALA, will be considered when the regulations are next reviewed for modification.
* At the September 2023 meeting, Secretary Chen noted that there is a newly released COVID-19 vaccine for Fall 2023. She hoped that ALRs would begin to schedule vaccine clinics and reiterated the particular importance of ALR Residents getting vaccinated.
* EOEA convened a small working group of industry partners and consumer representatives to make edits to the Resident Transfer Coversheet and the Resident’s Rights Poster that were presented at the April 25, 2023 Council meeting.
* As part of Falls Prevention Awareness Week, EOEA encouraged its aging network partners to promote a toolkit that included helpful resources for older adults, caregivers, and professionals.
* EOEA established a new quarterly call with the ALR network. This is an opportunity for EOEA to share with the industry what they are seeing out in the field and provides the industry with an opportunity to ask questions. Initial responses from attendees have been positive.
* The process of amending the ALR regulations regarding vaccine requirements are underway and a hearing was scheduled for January 12, 2024.
* The ALR Certification Unit will resume conducting unannounced visits of ALRs in December 2023 and the visits will take place within 30-days of the ALR’s anniversary date. EOEA’S ALR Certification Unit completed all 2023 compliance visits.
* The backlog of all the overdue certification visits that were on hold because of the pandemic are on track to be completed by the end of the calendar year 2023 and the ALR team expects to be on track for the next regular biennial cycle beginning in January 2024.
* At the December 2023 ALAC meeting, a rise in COVID-19 cases was discussed, as well as an increase in influenza and RSV cases. The increases are part of a seasonal trend and are well below the figures during the pandemic.
* After the January 2024 hearing on the ALR regulations, the new vaccine requirements are expected to be in place during the first quarter of calendar year 2024.