Assisted Living Advisory Council (ALAC) Meeting Minutes
Tuesday, April 25th, 2023
10:00 AM
\*The meeting was held virtually via Zoom\*

ALAC members: Nicole Breslin, Mary Jo Boynton, Brian Danaher, Kimberly Martone, Matt Salmon, David Santos.
EOEA staff: Secretary Elizabeth Chen, Matt Casey, Liz Gallagher, Trisha Marchetti, and William A. Travascio.

1. Call to Order:

The meeting was called to order at 10:04 AM by Secretary Chen.
2. Welcome and Introductions:

Secretary Chen thanked members of the Council, stakeholders, and members of the public for attending.
3. Approval of the Minutes:

The minutes from the December 13th, 2022 meeting were presented and approved, with 1 abstaining.
4. EOEA Updates:

Secretary Chen began her update by briefing everyone on the end of the public health emergency, which will end on May 11th, 2023. At that time masks will no longer be required in health care settings. However, she noted ALR staff should continue to follow DPH’s recommendations when caring for residents with suspected or confirmed COVID-19. ALRs should continue to give masks to staff, residents, or visitors when asked or when appropriate. As of March 31st, 2023 surveillance testing is no longer recommended. Skilled nursing services in ALRs has also been extended for 1 year to the end of March, 2024. The Secretary added that documentation concerning skilled services should be kept in the resident’s file, such as; medical orders, resident consent, resident evaluation, and notice of charges.

The minimum staffing requirement waiver has been extended by 1 year in special care residences also. However, ALRs are still required to have sufficient staffing as required by EOEA’s regulations. The training waiver has been extended by 1 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 only COVID vaccine available right now is the bivalent shot. If someone wanted to be vaccinated against COVID-19, but had never been vaccinated before, they would just need 1 shot. The CDC updated their recommendations to allow for those who are immunocompromised or who are over age 65, to receive a 2nd dose.

Trisha Marchetti, Director of Assisted Living Certification and Compliance – EOEA, said that the Assisted Living Certification team has a new Assistant Director, Marie Earnshaw. She joined EOEA in February and has a wealth of knowledge, she is a former ALR Executive Director. 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 calendar year 2023. She said the team expects to be on track for the next regular bi-annual cycle beginning in January, 2024. In addition, her team is working to create a new incident reporting platform called OnBase, which will replace the Dynamics platform that has been in place since 2019. She hopes to have OnBase rolled out by the end of this calendar year.

Secretary Chen thanked Trisha Marchetti for all her team’s work. She added that the industry is asked to submit data via several databases and that the hope is that these systems will be consolidated into 1, OnBase.

Matt Casey, General Counsel – EOEA, noted that even though the training waiver is still in effect, the statute refers to EOEA guidance that a minimum amount of training is required. He recommended that if ALRs have the bandwidth, they should be training since the waiver will eventually expire.

Secretary Chen noted that regulations require a minimum set of requirements, but that the industry should strive to exceed those requirements.

Secretary Chen introduced Liz Gallagher, a consultant with EOEA who has been working to compile COVID-19 data. She has been asked to help with understanding *consumer friendliness* as it relates to ALR residents and their families. She will help identify where there are bumps that need to be smoothed over, and where additional education is needed. Two items that EOEA believes there is a need is for a *Resident Transfer Coversheet* and a more plainly worded *Resident’s Rights Chart*.

With respect to the *Resident Transfer Coversheet*, the Secretary noted that this will help emergency room staff cut down on *detective work* if there is not enough paperwork that comes in with the resident and if they are not *cognitively able to convey their condition*. The purpose of the *Resident’s Rights Chart* is to make it easier to understand, for residents, what their rights are.

Nicole Breslin noted that in her residences, if a resident needs to go to the hospital, her team will print out the resident’s most up to date medical records from their system. She would like to adopt what the form is asking for rather than requiring a staff person to potentially do both, especially if the resident needs to go to the hospital at 2:00 AM, for instance. She noted that everything on the form is incorporated in their system with the exception of *impairments*, *assistive devices*, and *most recent medical or social history*.

Mary Jo Boynton said she was thrilled to see this. She has been in an emergency room when a resident does not have their background information. She added that it is usually the lack of behavioral and mental status information that causes the most issues. She asked if there would be a way to incorporate just that part of the form into the electronic medical systems or have it in the resident’s record pre-filled it in case they need to go to the hospital. She thought that it could be reviewed every 6 months or whenever there is a substantial change. This way it does not need to be filled out right when the resident needs to go to the hospital.

Brian Danaher asked if EOEA is requiring that ALRs use this document, or if it is a suggestion. If it is a requirement, he suggested that it be done through *rule making*. He felt that other stakeholders would want to submit their feedback. He added that the first page of the coversheet is very similar to Benchmark’s *face sheet*, which has general information about the resident on it. He suggested EOEA work with Mass-ALA and LeadingAge to convene a group to further develop the form.

Matt Salmon agreed with what others have said, he noted that a form like this should state whether the resident is a risk for elopement. Both Matt Salmon and Brian Danaher agreed that this form should be optional, it could be put forward as a best practice. They said they understood EOEA’s concern and the concern of medical doctors.

Secretary Chen thanked them for their feedback, she noted that the next step would be for EOEA to convene a group with representatives from Mass-ALA and LeadingAge to develop this form further.

With respect to the *Resident’s Rights Chart*, the goal established is to make it easier to read. The Secretary noted that in most cases the resident’s rights information is copied and pasted from regulations. Brian Danaher suggested that if EOEA would like to make this a requirement that it should be done through *rule making*, as well.

Mary Jo Boynton said that for her, the most critical part is having phone numbers easily accessible. Sometimes residents do not know who to call or how to get that information. She has seen this information posted on the back of the door into the resident’s unit. Kim Martone added that a resident should be able to contact the Ombudsman whenever they feel like they need to.

Secretary Chen mentioned that part of what this form aims to address is to let residents and family know that they can contact an Ombudsman. She has seen complaints where families have written in with a list of issues, but did not do so until after their loved one has passed away, because they felt vulnerable.

Brian Danaher suggested adding this as an attachment to the *Residency Agreement Coversheet*.

The Secretary said she would ask the team that is reviewing the *Resident Transfer Coversheet* to review this chart as well.
5. Updates from Consumer Members:

Kim Martone said what she is seeing is an increase in levity and a return to normalcy. There is an uptick in activities and there are trips planned outside of the ALR. She said that staffing has improved, but not back to where it was pre-COVID-19.

David Santos suggested making the *Resident Transfer Coversheet* a requirement because he is concerned about the ALRs that are not operated by the larger companies. He said that the larger operators follow best practices, but he said he was concerned with smaller operators not having those kinds of policies in place. He also said that the *Resident’s Rights Chart* should be posted somewhere for the benefit of residents and their families.
6. Industry Updates:

Matt Salmon said that the ending of the Public Health Emergency is coming at a good time.

Elissa Sherman, President – LeadingAge MA, said that at their recent board meeting, operators are using agency staff less now, however it is still needed with nurses. Registration is opening this week for their annual conference, it will be in Norwood this year.

Brian Doherty, President and CEO – MassALA, said the news about masks is welcome. He has heard on site visits that masks are a barrier to understanding what staff are saying. He also mentioned the sad news of the passing of Larry Gerber, the founder of EPOCH Senior Living and Board Chair of MassALA, back in March.
7. Comments from Visitors:

Kathleen Lynch Moncata, MassNAELA, asked that residents be part of the conversation when the Resident’s Rights Chart and the Resident Transfer Coversheet are reviewed. She asked that the Resident’s Rights Chart be publicly posted, especially as it relates to special care unit residents.
8. Other items for discussion:

Secretary Chen noted that at the December, 2022 meeting, EOEA asked Council members for recommendations for how to improve ALR policies. EOEA received a list of items from Kathleen Lynch Moncata, MassNAELA, and Sec. Chen said she looks forward to sharing those with the group at the next meeting. Council members, members of the public and the industry are invited to share their recommendations with the team.
9. Adjournment:

The meeting adjourned at 11:05 AM.