

**EXECUTIVE OFFICE OF ELDER AFFAIRS**  
**MEETING OF THE ASSISTED LIVING ADVISORY COUNCIL (ALAC)**  
**Minutes – March 26<sup>th</sup>, 2019**

Those who attended the meeting included:

ALAC members: Ryan Ambrose, on-behalf of DHCD, Mary Jo Boynton, Brian Danaher, and May Shields.

EOEA staff: Matt Casey, Emily Cooper, Siobhan Coyle, Trisha Marchetti, and William A. Travascio.

Guests: Joe Carella, Scandinavian Living Center, Brian Doherty, MA-ALA, Alexandra Esielonis, Serlin-Haley, Nomita Ganguly, MassNAELA, Jennifer Gallop, Mass Senior Care, Kathleen Moncata, MassNAELA, and Elisha Sherman, LeadingAge Massachusetts.

Documents: March 26<sup>th</sup>, 2019 Meeting Agenda, December 18<sup>th</sup>, 2018 Meeting Minutes, Assisted Living Advisory Council Quarterly Meeting Schedule for 2019 & 2020, MASS-MAP Participation Review, and QuickBase Replacement Project sheet.

1. **Call to order:** The meeting was called to order at 10:00 am by Trisha Marchetti, Acting Chair & Director of Assisted Living Certification – EOEA.
2. **Welcome and Introductions**
3. **Review of Minutes:**

The minutes from the December 18<sup>th</sup>, 2018 meeting were approved by all those present.

4. **EOEA Updates:**

Trisha Marchetti thanked everyone for attending. Bill Travascio, Recording Secretary for ALAC and Executive Assistant to the Secretary – EOEA, passed around the ALAC 2019 & 2020 meeting schedule. He noted that typically the December meeting is moved earlier or pushed back to January because of its close proximity to the winter holidays. Bill Travascio added that the 2018 ALAC Annual Report is in draft form and should be ready for the ALAC members to review and approve at the June 25<sup>th</sup> meeting.

Trisha Marchetti mentioned that since the last meeting Robin Lipson has been named EOEA's Acting Secretary. Furthermore, Amanda Bernardo has been named the Acting Chief of Staff.

Beginning July 1<sup>st</sup> there will be a new reporting system for ALRs to report critical incidents. The current program, QuickBase, will be changed to a new Microsoft based program called Dynamics. The new system will include all of the elements that QuickBase had. One aspect that will be different is that under the current system each ALR has one account to submit the reports. Whereas with Dynamics, each employee at the ALR who submits the critical incident reports will have an account. Trisha noted that because of budgetary costs there will be a limit as to the number of accounts allowed to each ALR. However, that number has not yet been determined. Trisha said that her team will keep the network posted as to the number of accounts each ALR will

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have, but that the network will not be able to use QuickBase after 7/1/2019. Over the coming weeks EOEa will ask ALR staff to pilot the new system. The goal will be for all ALRs to be on the new format by mid-May.

Trisha noted that the basic structure of the reports will be largely the same, but there will be some areas where additional information is asked for. Additionally, ALRs will now be able to continue to add information to an individual report. Under the current program when a critical incident report is submitted, the report becomes locked and information cannot be added or edited. The new program will not allow for previously submitted information to be edited, but it will allow for new information to be added.

Matt Casey, General Counsel – EOEa, noted that the change in program is a tweak to the system that the network is familiar with. He added that switching programs created an opportunity to ask for additional information.

Brian Danaher asked if other states were using this program. Trisha Marchetti responded that since it is a Microsoft based platform, it is highly versatile. The UMass Medical School team that designed this system for EOEa uses this platform for other programs.

Matt Casey noted that he recently read an article about the use of marijuana by older adults. Matt asked the ALAC members if there have been any challenges faced by the network, since cannabis has been legalized in Massachusetts. Matt said that while marijuana is legalized in Massachusetts, it is still considered a schedule one narcotic by the U.S. Federal Government and as such an ALR could theoretically be raided by federal law enforcement agencies.

Brian Doherty, President of Mass-ALA, said that recently his team has reached out to EOEa to get some guidance on this issue, as Mass-ALA begins to develop a policy around this issue. He noted that not much work has been done in this area and felt that this created an opportunity to work with EOEa.

Elissa Sherman, President of LeadingAge Massachusetts, said that their partners at the national level for LeadingAge have been disseminating information about the work going on in other states as this issue gradually affects other states. She felt that usage of marijuana in nursing homes is another area where regulators will need to develop policy.

Emily Cooper, Chief Housing Officer – EOEa, asked Ryan Ambrose, DHCD, if the state had any guidelines for state assisted public housing. Ryan noted that it falls under their “No Smoking” policy.

Brian Danaher noted that their nurses do not get involved if a resident has their own marijuana. He said that if a resident is using then it is something they would like to know about, but that it is an issue that has not come up.

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Mary Jo Boynton felt that perhaps one of the reasons why this issue has not come up more frequently is because of the age cohort that is currently in ALRs. She offered that only time will tell if the next wave of elders coming into ALRs will be more frequent users of the substance. She felt that this is an issue to be more proactive about.

Matt Casey encouraged the members to submit ideas for policies to EOE, he felt that it is better to be prepared than not.

Trisha Marchetti said that beginning this year EOE is sending copies of the compliance review letters to the sponsors of the ALRs. She felt that it would be helpful for the ALRs' ownership to be aware. No responses have yet been received as a result of these letters.

Another update that Trisha gave is with regard to MASS-MAP and ALRs involvement in the program. She encouraged more ALRs to participate in this crucial mutual aid program. Based on statistics she received from MASS-Map, over 200 ALRs are registered. 137 have participated in the program, 77 are not participating in drills, and 45 ALRs are not members of the program. Under 651 CMR 12.04(11)(1)(a)(4) ALRs are required to conduct an annual simulated evacuation drill and rehearsal for all shifts. Information about the program can be found at [www.mutualaidplan.org](http://www.mutualaidplan.org)

Next, Trisha touched upon hospice in ALRs. Hospice staff should not have access to the ALRs progress notes about the resident. The ALR and the hospice staff should keep their own notes about the resident. Trisha suggested that ALR and hospice be a topic covered at the June Mass-ALA conference.

Matt Casey asked about what records the hospice staff has access to when they come into an ALR, whether it is the ALRs records or the resident's medical records.

Joe Carella, Scandinavian Living Center, felt that since the hospice staff communicates with the family that they would ask the family for permission to have access to the resident's files.

Trisha Marchetti next mentioned that under the regulations EOE can go into an ALR at any time, and not just when the ALR certification team is conducting an onsite visit as part of the bi-annual certification process.

## **5. Industry Updates:**

Brian Danaher said that at the end of December the industry received the new forms for the surveys and resident agreement summary sheet, which went into effect in January. He thanked EOE for its flexibility and for making some of the suggested changes that ALAC offered, but he felt that not enough time was allowed for implementation.

Trisha Marchetti said that the forms help to make the site visit process more efficient for the EOE

staff. She added that the forms are there to collect information that the ALR should already be keeping. She noted that positive feedback has been received about the resident agreement summary sheet.

Brian Doherty, President of Mass-ALA, asked about EOEAs' expectations when implementing a new policy. He cited the 10 day turnaround time when the resident agreement summary form went into effect. He noted that Mass-ALA received some negative feedback from some of their members.

Trisha Marchetti responded by saying that with regard to the site visit forms, the form is not asking for new information and it asks for information that the ALR should already be keeping with respect to their employees. Trisha said that sometimes EOEAs do not have control over how much time there is allowed for implementation, she cited the change from QuickBase to Dynamics. She added that there is not a set amount of time that EOEAs have in mind when enacting a new policy. The department tries to keep in mind the size and scope of a new policy, and to what extent it will affect the network.

Kathleen Moncata, MassNAELA, asked if there were a way for individuals to find out more about critical incident reports being filed by a particular ALR. She asked if there were a way to compare ALRs based upon the critical incident reports that they filed.

Matt Casey responded that a public records request would need to be filed to get the redacted report.

Siobhan Coyle noted that EOEAs do routinely get public records requests for a residence and that consumers try to use that information to compare residences.

May Shields asked if its possible for EOEAs to run a report to find out how many falls happen at each residence. She asked if that information could be made public, or at minimum given to ALAC to review.

Trisha Marchetti noted that there are many variables that go into what gets reported. Some residences might over report and some may under report. Sometimes ALRs report information that we would not consider "reportable." Under the new software EOEAs staff can note if a report is not "reportable."

Matt Casey said that the new software will facilitate easier redaction. He added that in the report, the ALR staff should try to avoid using a person's name and just refer to them as "the resident." Doing so will help to cut down on redaction. Matt encouraged the network to continue to err on the side of caution and report information to EOEAs. He felt that if a consumer is comparing critical incident reports from one residence to another, that does not mean the residence with the lower number of reports offers a higher level of quality of care than the residence with the higher number of reports.

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Trisha Marchetti noted that looking at the raw data does not always give a clear picture.

Brian Danaher asked about the new plan of correction forms.

Trisha Marchetti felt that they have been effective so far. Nothing has been put up yet on EOEAs website.

Brian Doherty, President of Mass-ALA, felt that there is good synergy between Mass-ALA and EOEAs on MASS-Map participation. Over the winter Mass-ALA hosted two webinars. One was a MASS-Map refresher course, while the other was about how to enroll. Mass-ALA considers MASS-Map participation a priority.

**6. Adjournment:**

The meeting adjourned at 10:52 am. The next meeting is scheduled for Tuesday, June 25<sup>th</sup>, 2019 at 10:00 am.

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