Assisted Living Advisory Council (ALAC) Meeting Minutes
Tuesday, September 28th, 2021
10:00 am
\*The meeting was held virtually via WebEx\*

ALAC members: Brian Danaher, Kim Martone, and Matt Salmon.
EOEA staff: Secretary Elizabeth Chen, Assistant Secretary Carole Malone, Matt Casey, Siobhan Coyle, Trisha Marchetti, and William A. Travascio.

1. Call to Order:

The meeting was called to order at 10:03 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 June 22nd, 2021 meeting were presented and approved, with Brian Danaher and Matt Salmon abstaining. Secretary Chen, Trisha Marchetti, and Kim Martone voted in favor of adopting the minutes. General Counsel Matt Casey asked that a note be made that there were sufficient members present for a quorum, but that the minutes were approved with only 3 votes instead of the typical 5.
4. EOEA Updates:

Secretary Chen informed the members that since the June meeting, Steven Ellsweig has resigned from ALAC to take an ALR ombudsman position with the Executive Office of Health and Human Services, Office of the Long-Term Care Ombudsman. She thanked Steve for this service to ALAC and welcomed him to EOHHS family.

Secretary Chen also welcomed Matthew Salmon, ALAC’s newest member. He has been appointed by the Governor to fill the open industry seat on the Council. Matt has more than 2 decades of experience in the assisted living industry. Since January 2014, he has been the CEO of Salmon Health and Retirement in Westborough. Prior to that he held a variety of roles in the company including COO, Vice President of Programs, Quality, and Innovation, and Executive Director of the company’s Northborough location, among other positions. From 2017 to 2018, Matt was the Board Chair of Mass Senior Care and currently is a member of the Board of Corporators at Milford Whitinsville Regional Hospital, among other volunteer positions that he holds. Matt and his wife Kimberly have 2 children and reside in Grafton, MA.

Matt Casey, EOEA General Counsel, said that since the last meeting the EOEA 651 CMR 12.00 Emergency Regulations have been filed with the Secretary of State’s office and posted on EOEA’s website. Since they are emergency regulations, they take effect the day they are filed. The is a three-month period before the emergency regulations can become permanent. During that time there will be a comment period, which will open shortly. There will also be a public hearing and more information on that will be communicated in the coming days.

The main change is that 12.06 subsection 8 was broken into 2 subsections. Subsection 8 will cover health screenings and Subsection 9 will primarily cover vaccinations. Language was added that states if a staff person opts out of receiving a vaccine, then they have to demonstrate they can still perform their job functions with a reasonable accommodation that is not an undue burden on the employer. This language is used for general vaccinations as well as for vaccinations related to COVID. However, staff may only decline receiving a COVID vaccination for medical contra-indication or a sincerely held religious belief.

For ALRs, the regulations require that the residence provide personnel information about the vaccine and how to obtain it. ALRs are required to keep proof of vaccination and personal declination records. The regulations also state that the Secretary may release reporting requirements by the residences to EOEA.

These regulations are similar to those filed by other agencies with respect to long-term care.

Brian Danaher asked about the personal declination section and whether EOEA should put forward a standard form for all operators of ALRs to use for the flu vaccine. The form could list out risks and benefits of vaccinations. Secretary Chen said EOEA would consult with DPH and see if they have something that could be used. Under regulations, EOEA would not be able to mandate that this form be used but could strongly urge that the network use it.

Trisha Marchetti, Director of the Assisted Living Certification unit, mentioned that two emails were recently sent out to the network. The first asked to begin planning how they would arrange getting booster shots for their residents who want one. The second email provided updates that those who are 65+ are eligible to receive the Pfizer booster 6 months after receiving their second dose. The Federal Pharmacy Partnership program that was implemented last winter to deploy COVID vaccines in long-term care is not being resumed. ALRs are encouraged to leverage their relationships with local pharmacies or other clinical providers, so that booster shots can be provided to their residents.
5. Industry Updates:

Brian Danaher noted that EOEA has resumed on site certification visits. He also asked about the plan of correction format and whether EOEA could provide a guide on its website for how to fill it out. He felt that an educational resource would be helpful. Secretary Chen responded that this could be incorporated into the annual seminar EOEA has at the annual regulations training it attend.

Elissa Sherman, President of LeadingAge MA, noted that her board has encouraged that LeadingAge’s members be vaccinated, and they have been working with members who are hesitant. She thanked EOEA for its work to get information out to the network.

Brian Doherty, President & CEO of Mass-ALA, reported encouraging news from the network: ALRs are holding vaccine clinics for their residents. He knew of residence that was holding a clinic that day. He added that residences from the largest to the fewest number of units were confident that they could access booster shots. Brian also said that 4 of 7 of Mass-ALA’s pharmacy partners said they would travel statewide to hold clinics in ALRs if asked. The other 3 pharmacy partners said they would hold clinics regionally. Brian thanked the Secretary for agreeing to give remarks at Mass-ALA’s annual conference to be held later in the week.

Secretary Chen thanked Brian and Elissa for their updates. She noted that LeadingAge and Mass-ALA are valued partners.
6. Other items for discussion:

None.
7. Adjournment:

The meeting adjourned at 10:28 am. The next meeting will be held Tuesday, December 14th at 10:00 am.