

Minutes

Governor's Cabinet on Chronic and Long Term Care

Thursday, August 12, 2004

1:00 PM

Department of Labor and Training

1st Floor Conference Room

1511 Pontiac Avenue

John O. Pastore Complex

Cranston, Rhode Island

Members in Attendance:

Corinne Calise Russo, Co-Chair, DEA; Jane A. Hayward, OHHS; Adelita Orefice, DLT; Rollin Bartlett, DBR; Jorge Garcia, Governor's Office; Patricia A. Nolan, MD, DOH; Joseph Lapenta, MHRH, John Young, DHS

Absent:

Jeff Grybowski, Co-Chair, Governor's Office; Beverly Najarian, DOA; Marilyn Shannon McConaghy, DBR; Kathleen Spangler, MHRH; Ronald Lebel, DHS

Department Representatives:

John Young, DHS; Kathy McKeon, DEA; Michael Cronan, DEA

I. Opening Remarks

Corinne Calise Russo, Director of DEA called the meeting to order at 1:10 p.m. She announced that time would be allowed for attendees comments. The corrected minutes of the previous meeting were approved and seconded.

II. Working Group Reports

- Long Term Care Strategic Plan – John Young**

John Young reported that all the departments are involved in planning for fiscal year 2006 and expansion or reduction of all initiatives will be considered.

- Medicare Reform – Frank Spinelli**

John Young reported, in Frank Spinelli's absence, that there is concern on how the pending retirement benefits ruling will impact RIPAE. Corinne Calise Russo noted both DEA and DHS staff were asked to participate in a conference call hosted by Centers for Medicare and Medicaid Services on August 16, 2004 and August 18, 2004.

- Aging and Disability Resource Center – Kathy McKeon**

Kathy McKeon reported building #79 on campus is targeted as a possible site for the ADRC. Funding for renovation of this facility has been submitted within the present capitol budget. This budget is part of a large bond request on the November ballot. The new ADRC Service Profile Membership Advisory and Expansion Committee will have input into web design and marketing.

Kathy informed the group that the IT team is in Vermont at the Annual Users Conference. Also DEA and the community coordinator are ready to transfer data to the new system.

Kathy announced that the Alzheimer's Association was awarded the three year grant allowing two part-time benefits counselors to be housed at the ADRC. The RFP proposal was submitted. The Rhode Island ADRC team will attend the Annual Grant Meeting in October.

Corinne Calise Russo stated that the ADRC facility would have space for DEA staff to relocate along with other consumer groups.

III. New Directions- Planning for Community Based Services Years 2005-2006

- Corinne Calise Russo, Jane Hayward and Dr. Nolan have identified the CNAs as the direct service providers that help the elderly and disabled stay in the community and question whether policy change would attract and retain people to be CNAs.**

Discussion

- Ray Rusin, Chief of Facilities Regulation at the RI Department of Health addressed the group on how the current statute categorizes, regulates and restricts the health care services available to the community in hospitals, nursing homes and by home health care**

agencies. The statute governing assisted living facilities does not classify them as health facilities. Therefore CNAs working in these facilities do not receive credit for training hours toward their license or recertification. This limits the number of CNAs working in assisted living and the scope of services available to residents with health issues. Mr. Rusin's concern is how to license and regulate the environment. He cites a 2001 Study Group on CNAs showing CNAs work in various settings and it's a policy that dictates where services are delivered and how they are regulated. Dr. Nolan states it is important to understand policy by statute.

- Charles Alexander, Chief of Professional Regulation at the RI Department of Health introduced his colleague Michelle Arrighi, Administrator of the CNA Board. Mr. Alexander stated there are approximately 13,000 licensed CNAs in the state and they must work eight hours in the last two years in a licensed facility to maintain their license. However, 35% fail to renew. Licensed CNAs working in assisted living and adult day care facilities do not receive credit toward hours worked for license renewal and fail to renew. Revised regulations now allow CNAs to come from another state and receive their RI license by endorsement. Revised regulations are available on the website.

Corinne Calise Russo raised the question as to the number of CNAs working in the community versus the number working in nursing homes. She also mentioned in order to change the industry it would

take a change in legislation. Maureen Maigret stated the Long Term Care Council website has the result of their CNA report.

IV. Public Comments

• Bob Caffrey states CNA turn over rates are higher in adult day care and assisted living due to low reimbursement rates reflecting what providers can pay CNAs. Maureen Maigret suggests a separate category of personal care assistant to work in assisted living and adult day care. Dr. Nolan stated that CNAs are professionalized yet poorly paid and treated by their employer/ clients and not respected. She also questioned if a personal care assistant should be a CNA. John Young stated the disabled should have a personal care assistant providing specific services. Kathleen Kelly mentioned having CNAs in assisted living would be cost prohibitive for residents. Dr. Nolan stated assisted living patients need the services that a nursing home can provide but the system is not flexible and it needs policy direction.

Corinne Calise Russo stated that this discussion raised many policy issues on how to plan for the growing need of services and how we sell the industry of direct care and the need to explore options and changes that need to take place.

Ann Gardella asked if the Cabinet would speak to the Governor regarding funds. She stated the Lt. Governor's Conference on CNAs was two years ago and how soon would something happen.

Kathleen Kelly expressed concern with the court decision on waivers for assisted living residents. Given the current environment assisted living can no longer subsidize the elderly and will have to evict. Jane Hayward stated the hardships are realized. DHS and DEA are in discussion with CMS and will invite individuals to meetings within the next 2 to 3 weeks to discuss options.

Corinne Calise Russo is concerned about patients on waiting lists, and patients back with their families from the assisted living facilities.

Bob Caffrey stated the need to look at the bigger picture, the cap on new facilities, and the slow legislative process. He is also concerned that Care Centers are now in OneStop, budget restrictions have reduced the number of information specialists and the disparity of wages for CNAs working in the community verses the facilities.

Corinne Calise Russo announced that funds are available for the next 12 months to maintain the current number of information specialists, that Care Centers and OneStop discussion are combined due to time restrictions. She also stated that reimbursement rates have remained the same for two years limiting the wages paid to CNAs.

John Young stated there are various ways to pay for services in assisted living facilities by making regulations of rates setting different for finance. Also by determining how we respond to the court order and what happens to consumers will change the ways we look at assisted living. Nothing is new in the CMS preliminary

discussions. CMS states federal money is for room and board. The problem is assisted living facilities do not want home services in their facilities to perform services.

V. The meeting was adjourned at 2:15 p.m.

Others in Attendance:

Maureen Maigret, Ann Gardella, Helene Zuffoletti, Bob Caffrey, Christopher Novak, Jeanne Hunter, Rev. Paul L. Bliss, Joan Kwiatkowski, Kelly Lee, Cynthia Conant Arp, Marcia Ring, Paula Parker, Kathleen Kelly, Jim Nyberg, Ray Rusin, Charles Alexander, Michelle Arrighi

Respectfully submitted,

Donna M. Slemon

Assistant to the Director

Department of Elderly Affairs