

Pennsylvania Lifesharing Coalition Meeting

February 21, 2014

PATH: Eileen Scott and Sue Rowell

North Star: Training Group, Legislative Group and Conference and Conference Group

- Conference Expectations – Co-Chair, Search for a new location and more volunteers
 - Reaching beyond Leadership Group for the leaders
 - Maggie Rothenberger and Jamie Boehme will be the co-chairs
 - Raj Wale and Darlene will be Mentees
 - Working with PAR on registration
 - Getting the venue and menu
 - Working with Sarah on collecting money
 - Western
 - Marilyn Shiwarski
 - Mary Ann Henning
 - Carrie Kontis
 - Lisa Heather
 - Anna Rankin, Joe
 - South East
 - Cathy Trumbol
 - Rebecca Jantes
 - Terresa Smith
 - Judy Webb
 - Stephanie Brown
 - North East
 - Allison Karnish
 - Linda While
 - Joe Karpinskie
 - Sandy Redia
 - Melanie Drumm
 - Central (Financial and awards)
 - Jim Malesky
 - Becky Kreischer
 - Sarah Shaw - finances
 - Mary Rhoades
 - Bobbi Segin
 - Tony Fisher
 - Lisa Brendle

- Cathy Zumbrun
- Training Group
 - Adjusting the Power Point
 - What are some ideas for training topics
 - Recruiting potential Lifesharing families
 - Send out a survey to find out what is needed
 - Other models of Lifesharing
 - The ways families could care for complicated people
 - Dual diagnosis, aging, challenging individuals
 - Natural families lacking in knowledge of Lifesharing
 - Adaptive equipment and adapting the home as people's needs change
 - New federal waiver requires a tenant /provider contract
 - New regulations people having keys, friends over and ISP requirements
 - Legislative Group
 - Ideas of what to and how to talk with legislators
 - Promise billing and how long it is taking
 - Rent rebates being taken from the individuals
 - Gabriella from PAR is working with some legislators
 - Key to have talking points
 - North East – Cathy T
 - Western – Darlene McConnell
 - South East – Stephanie Brown
 - Central – Jim M
 - When the proclamation is done it should be sent to ODP, ARC and PAR for announcement

Sensing the Goal: One year from 2/21/2014

- Conference Group
 - A successful conference was held in October
 - Well attended
 - Well received
 - People are talking about it
 - More people attended
 - More Lifesharing families participated
 - Great Feed back
 - Planning the following conference
- Training Group
 - Training for providers is getting started
 - State-wide SC standardized training

- Poster of Lifesharing awareness
- New federal waiver requires a tenant /landlord contract
- Training to better serve individuals
- Legislative Group
 - Proclamation was done in October
 - Well attended - people from PAR, families, individuals
 - Talking Points developed
 - All legislators signed the proclamation were contacted
 - Re-grouped to attend the hearing
- Other
 - More families than individuals waiting

Grounding in the NOW:

- Hopeful
- Direct and clear
- Proactive
- Exciting
- Organized
- Focused
- Ever changing
- Commitment
- Time consuming
- Inclusive
- Positive
- Productive

Identifying People to ENROLL:

- Legislators
- Families
- Agencies
- ODP
- Patty McCool
- Matt Jones
- BHSL
- Candy from PAR
- Individuals

- Chris Tabakin
- Gabriele Sadar
- Speakers
- County Government
- SC's
- Jen Fraker
- Denise Adams-Moore
- ODP Regional Reps

Ways to BUILD STRENGTH:

- Support from each other
- Wine
- Persistence
- Commitment to the Integrity of Lifesharing
- Support from supervisors and directors
- Encouragement from Wage & Hour
- Recognition for what we do
- Where is the department going with Shared Living Regs
- Where is the RSG

Committing to the FIRST STEP:

- Review Conference Feedback –Maggie
 - Date
 - Venue
 - Cost Discussion
- Jim M will call Gabriela at PAR regarding legislative issues March 15
- Cathy T to see if Chris from Access will come in April to teach the elevator speech
- Review of who signed the proclamation and sent to the regions Becky by next week
- Regional Reps to coordinate approach of legislators – Identify Reps
- Matt about shared living regs – Sarah to ask Matt Jones today
- Talking points for April meeting Contact Chris - Kathy

Planning the NEXT August 21, 2014:

- Date & Venue Brochures Presentation will be set for conference
- Registration process set and opened
- Registration will be up
- Payment mechanism is up
- Proclamation date sent
- Award Winners are chosen
- Clarification on the company payment rule

- Legislators have been contacted
- SC training was approved by ODP to share
- Date for the proclamation
- Regions have meet with legislation in their region

Planning the NEXT June 2014

- Conference date and location set
- Talking points are identified for legislators meetings
- SC training submitted to ODP
- New training topic identified
- Learning's tracks are identified for the conference
- Determine the conference coast & theme of the conference

Coalition Meeting

Update on DOL Ruling:

- NASPDDS state directors association and ANCOR both gave the same answer. If a provider agency has a contract with the Lifeshare, they are not staff with the agency. They do not fall under the companion ruling. A meeting with Nancy Thaler and Dan Burlin gave caution that sometime in the future Department of Labor may want to see the contract. One agency is meeting with a Labor Attorney. They are reviewing contracts of the Barber Institute, ACCESS and KenCrest to see if they are in compliance with the department of labor. Mel has contacted the attorney and shared information regarding Lifesharing. Chapter 51 regs's definition regarding sub-contractors, defines Lifesharers as staff.
- Nothing has been decided regarding sub-care
- If the Lifesharers are paying directly for sub-care, it would come under their contract. If the agency is paying directly for sub-care, there should be a contract.
- Bulletin is tabled regarding sub care.
- Focus group to meet with Jen Fraker from ODP in March
- Still have a lot of work with companion care and chapter 51
- Natural support in the draft Sub-Care Bulletin, states that if unpaid, it would not come under any requirements and the person is on Therapeutic Leave.
- Mel – providers need to meet regulations that are in place and next step is when we hear back from the labor attorney. He will share what they have to say. We are in a gray area at this time. would not start right now to look at the contracts and wait to see what the labor attorney and ANCOR recommends.
- Maggie – Agencies should look at their contract and review the 20 questions from the IRS regarding sub-contractors versus employee relationships. There will be a lawsuit somewhere which will challenge the contract. We need to see where we need to add or eliminate.

- Jen Fraker stated that ODP's legal department is looking into it and will get back to us

Murt Update:

- Contact has been made

Governor's Budget:

- A 5 and 1/2 percent increase was listed for the waiting list. No cost of living increase was mentioned.

T Mislinski Leaving ODP:

- She got a new position with OMH. Tim Little will be taking her place

ANCOR Analysis: CMS final rule

- Non-residential community settings – must have the same or comparable services separating the individuals from what a typical person would do. It may be an issue
- Sheltered workshops may be an issue
- Clearly the burden is on the state and we need to get the ear of state to give them input
- Individual needs to have a documented choice of roommates
- Access to food and freedom to create their own schedule
- Visitors at any time
- Physical accessibility to their home
- Access to key and to lock their bedroom
- They need to be given the rights of any of us if they are being evicted and if it is not written it needs to be added. Revisions may be done to the room and board contracts
- The state has to develop policies around the ruling
- How does it impact health and welfare

Peale Center:

- Paper to pass around regarding the Peale Center and their project.

We would like BHSL leads to attend future regional Meetings

Matt Jones, the acting director of BHSL spoke

- We will continue to use CLS – looking at ways to make it more usable.
 1. Is there a plan, other than the development of an RCG, to promote consistency of regulation interpretation between inspectors at the Bureau across the Commonwealth? – Yes. An RCG will give a set of interpretative guidelines. Real consistency comes from training, observations and the annual training conference in April in State College. Licensing staff from ID but Personal Care Homes, Assisted living

and Children & Youth, etc.. (9 chapters of regs). There are break out sessions for each set of licensors and most effective mechanisms for achieving consistency. Achieving even acceptable consistency is evolutionary not revolutionary. We see consistency in the Central and North East regions. Western has 3 positions for inspectors vacant. Turnover is an opportunity for BHSL to teach a new person. Regulatory specific training is going on in regions and he is encouraging field supervision. Regional Leads are doing inspections. Matt wants them to be supervising not doing. There is a policy to address concerns regarding inspectors. When major concerns regarding an inspector/inspection occur, a look behind team will be sent out to do a second inspection. Additional citations may occur. The supervisor would contact the agency and inform you that they are doing the look behind. The Team would be made up of supervisory staff. You will not be treated differently if you call regarding a problem with an inspector.

2. When will the 6500 Regulatory Compliance Guide be released? – It is not a top priority. The regulations need to be updated. The RCG may be out in 10-12 months. If needed, we can call for technical support.
3. Who do we contact when there is an issue with inspectors – Three possible contacts,
 1. Regional Licensing Supervisor. They should be best versed in the chapters
 2. Main office for BHSL (position over the regions) They may need to talk to the Administrator
 3. Call operator support 1-866-503-3906. Annemarie MullerAlso if an inspector says that you have a violation and you disagree, licensing reps do not have any discretion regarding violations. They must write a citation. Sometimes they may choose not to write a violation.
4. Can you review the self-inspection process to open a new home? We send the form in and are not contacted. - From the time, the Self Inspection is received, the amended licenses are sent within 10 days.
The date on the license is the date that BHSL receives it. You cannot place anyone until you receive the amended license. Don't send it in if it is not 100 % complete.
5. Do we need a certificate of occupancy for a single family 6500 home? A private family owned single family home is not a multi – family unit and one is not needed.
6. Does each region accept a 15 day grace period for medical appointment scheduling? There is a 5 day grace period for any annual requirement: ISP, support plan and medical exam. If you exceed the 15 days, you will be cited. This does not apply for fire safety and CPR. Physician's cannot always override a regulation unless the regs says "or what is recommended by the doctor"
7. Do we need signature sheets for every training provided to our families if they come from other provider agencies? You have to have some documentation: signature sheet, print out or a certificate.
8. There is no current requirement in the regulations for a High School Diploma or GED which was issued in the United States. Do our provider families need to show proof of Diploma or GED?– no

9. Do we need a Desensitization plan for individuals who refuse medical treatment or require sedation? – Continued attempts, training and documentation are required. There is no term desensitization plan just ongoing education. Document what you have done.
10. Do we need a “Supervision plan” that documents the ability to be unsupervised, the conditions in which the individual can be unsupervised, time allowed for supervision and how we promote independence to increase the unsupervised time? Can this information be covered in the ISP or do we need a separate plan? – Regulation 153(4) A protocol and schedule outlining specified periods of time for the Individual to be without direct supervision, if the individual’s current assessment states the individual may be without direct supervision and if the Individual’s ISP includes an expected outcome which requires the achievement of a higher level of independence. The protocol must include the current level of independence and the method of evaluation used to determine progress toward the expected outcome to achieve the higher level of independence. It needs to be in the ISP not a separate document. Include if the individual capable of being alone, plus how to increase unsupervised time should be in the ISP. If the individual does not need 24 hour supervision, write a schedule for the individual to be alone for various times. You want to ensure they get alone time, get the chance to grow and have the opportunity to be more independent.
11. Does a poison constitute any household item that says call poison control if ingested? – Yes it is considered a poison if it says call poison control or similar language. Keep out of reach of children is not a poison. If a person is not safe with poisons but is safe with tooth paste or shampoo, specify it in the ISP and Assessment. If they are not safe, keep poisons locked up.
12. Do Lifesharing families and all household members need to have Mantoux TB test done every two years? If so, are there any exemptions allowed such as young children, a doctor stating the test is not needed? - BHSL is working on a clarification for the TB test. BHSL has not changed the status quo.
13. What should a provider agency do if they do not agree with a citation? already covered
14. Do provider agencies need to complete Methodologies step by step instructions on completing an outcome? Refer to regulation 153.3
15. Is it ok for an agency to document the individual’s baseline then document progress/regression/lack of progress? Yes, documenting the baseline, progress, regression is ok.
16. What is the process for removing a licensed home from your license? Send a letter, e-mail or fax to remove a home from your license. If it has been sent to the region BHSL office and you do not receive notification, call the Regional Licensing Administrator. If that does not work, call Annemarie
17. Is it possible to upload forms/pictures on to CLS? - No you must mail, fax or e-mail documentation/forms/pictures for your Plan of Correction.

18. I have attached a screenshot of the POC need from CLS, as you will see 2 sites were identified as having “complaints”, these are dated as the same day as our inspection. Please explain why this is occurring.

19. The BHSL Fire Drill Record. In the form indicated what is being requested for “pre-licensing” paper work it requests all your fire drill records *unless* you have more than 6 licensed home you are to complete the attached fire drill form to be reviewed at inspection. If this is being requested of provider agencies and prepared for inspection how is it the inspectors are not informed of this?

Region Agendas:

- Meeting set up for the conference groups
- Review the conference feedback

Next meeting: April 17, 2014 10:00 at Celebration Hall in State College

