



ncal[®] National Center for Assisted Living

Your National Assisted Living Leader for Advocacy,
Knowledge, Education and Professional Development

NCAL's First Quarter 2009 Accomplishments

This quarterly report is designed to provide NCAL state affiliates and their membership with an overview of NCAL's work on behalf of the assisted living profession during the past three months. This at-a-glance, quarterly report highlights most of NCAL's recent activities. As you will see, NCAL has had a productive first quarter and has been on top of proposed legislation under consideration by the 111th Congress and the Obama Administration. Questions regarding any of the initiatives outlined in this report may be directed to NCAL staff, whose contact information is listed on the last page of the report.

Advocacy / Legislation

- As a result of efforts by NCAL and its coalition partners, legislation to eliminate Medicare Part D co-payments for dual eligibles residing in assisted living communities was reintroduced in both the House and Senate. NCAL began assembling a broader coalition of provider, consumer, health professional, pharmacy, and other national organizations to support the legislation.
- NCAL staff met with the health care staff of 15 key Congressional offices to urge their support for legislation introduced in the House and the Senate that would eliminate the Medicare Part D co-payments for dual eligibles residing in assisted living communities.
- NCAL debuted and promoted a powerful advocacy tool allowing members to easily email or write U.S. Senators and Representatives on targeted legislation. The tool can be accessed via www.ncal.org.
- AHCA/NCAL lobbied vigorously to oppose legislation that would ban the enforceability of pre-dispute arbitration agreements between consumers and long term care providers, including assisted living communities. AHCA/NCAL also worked to block changes to the False Claims Act that would increase legal liability for long term care providers.
- Working with its business coalition partners, AHCA/NCAL made progress in opposing union card check legislation, as key senators stated they would oppose the union-backed bill in its current form.

- NCAL published and distributed the 2009 edition of *Assisted Living State Regulatory Review* along with an analysis of assisted living regulatory trends. NCAL's highly-praised and respected annual publication is the only source of its kind for current information about how states regulate assisted living.
- Work on NCAL's national study of state assisted living Medicaid rates, payment methodologies, and related issues proceeded in quarter one, as 20 state Medicaid departments completed questionnaires. Researcher Robert Mollica is scheduled to complete the report in summer 2009.
- NCAL's Board commissioned AHCA/NCAL life safety consultant Tom Jaeger to develop draft recommendations for updating standards applying to existing assisted living facilities for possible submission to the National Fire Protection Association.
- Field work was completed on a national survey of assisted living residents and communities being done by NCAL and four other industry groups (*2009 Overview of Assisted Living*). Initial tabulations are currently being reviewed. The *2009 Overview* should be published by June.
- Avalere Consulting completed work on a cost estimate of a long term care reform proposal developed by NCAL, AHCA, and the Alliance for Quality Nursing Home Care. The proposal, released in early April, provides a vision of where the long term care profession would like to go and will help it secure a place at the table in the debate over national health care reform. NCAL staff presented the proposal as part of a panel exploring providers' views of long term care reform at a major long term care insurance conference in Reno, Nevada.
- AHCA/NCAL urged Congress and the Administration to include long term care in health reform discussions and to make sure that long term care quality is not compromised by efforts to fund expansion of health insurance coverage.
- Legislation endorsed by AHCA/NCAL to help law enforcement officials quickly locate missing seniors was passed by the House of Representatives. The National Silver Alert Act is modeled after the Amber Alert system.

Membership

- In January, the Tennessee Health Care Association Board approved the creation of the Tennessee Center for Assisted Living. NCAL supported Tennessee's assisted living initiative by assisting with the developing of their business plan, providing sample materials from state affiliates around the country, and setting up mentoring conference calls between the Tennessee Health Care Association and NCAL affiliates in Kansas, Iowa, and Minnesota. The official launch of the Tennessee Center for Assisted Living is May 1, 2009.
- The Wisconsin Center for Assisted Living, the new assisted living division of the Wisconsin Health Care Association, debuted with more than 1,200 assisted living beds in the first quarter. Wisconsin is expecting rapid growth over the next few years.

- NCAL *FOCUS* was redesigned in quarter one to enhance the readability, appeal, and brand recognition of the publication. Now in 4-color, the newsletter will feature photographs, charts, and design elements that are consistent with NCAL's new brand. The first issue incorporating the new look will be the April 2009 issue.
- NCAL will be transforming www.ncal.org in 2009. The redesigned web site will be dynamic, easy to use, and innovative. Three web vendors were interviewed by NCAL in quarter one and the winning bid will soon be announced. NCAL is planning to have the new site up and running by October.
- NCAL is working with the Nevada Health Care Association (NHCA) to evaluate the potential start-up of an assisted living division of NHCA. Currently, there is no assisted living representation in the state capital, which makes assisted living vulnerable to misguided or uninformed legislation. NCAL conducted a mailing to national corporations which have assisted living buildings in Nevada, asking for a commitment to support the new endeavor. Several organizations have tried to start an assisted living organization in Nevada in the past, all of which have failed.
- To date, NCAL staff and member leaders have committed to speaking at 2009 state affiliate meetings in Arizona, Arkansas, Delaware, District of Columbia, Michigan, Minnesota, Ohio, Oklahoma, Pennsylvania, and Tennessee.
- NCAL organized and hosted a two hour educational session at the March ASCHAE Technical Session titled "Creating the Culture and Operations Necessary to Attract and Retain Assisted Living Members: The Iowa and Michigan Experience." Designed for state affiliates who service or hope to service assisted living members, the program covered business plan development, organizational buy-in, association governance, marketing and branding, member benefits and participation, and how the inclusion of assisted living in your business model can result in organization growth and increased revenues. Senior staff from the Iowa and Michigan affiliates presented their models of success.
- On March 3, NCAL hosted a very successful Webinar, in partnership with Lane Powell, entitled, "How the New ADA Amendments Impact Assisted Living and Nursing Home Workplace Policies and Practices." Roughly 180 members participated on the Webinar and many are accessing the archived seminar via NCAL's Web site. Also available on NCAL's "Members Only" site is the "Issues Brief" on the amendments and how they affect the operations of assisted living communities nationwide.
- To help the Michigan Center for Assisted Living recruit new member beds, NCAL assisted them in the creation of a 2-sided membership flyer. One side contains the benefits of NCAL membership, while the other highlights the Michigan Center for Assisted Living.
- Member certificates and decals were mailed to all NCAL members in January.

- NCAL staff and member leadership unveiled the 2009 National Assisted Living Week[®] logo. It is never too early to plan for National Assisted Living Week[®], which kicks off on September 13 and continues to September 19, 2009 and this year's logo is already a hit. To receive a copy of the logo via e-mail, please contact Shane Osborne at sosborne@ncal.org.



Consumer Relations

- The Consumer Relations Committee, with the approval of the NCAL Board, published an assisted living marketing tool for member use titled, “Understanding Assisted Living: Key Facts & Tips on Choosing A Community.” This PowerPoint is posted on the “Member’s Only” pages of NCAL’s Web site. Members can use the tool to educate their local communities about assisted living and the care and services provided in easy-to-understand language. The script, included in the notes view, prompts speakers to discuss their own communities.
- Numerous conference calls and meetings were held this quarter in conjunction with the Agency for Health Research and Quality’s national assisted living consumer disclosure collaborative. NCAL has a leadership role in this initiative and several NCAL Board members and NCAL State Leaders are participating on four workgroups that are developing recommendations as part of this initiative which is scheduled to be completed by the end of the year.
- During a private lunch with CBS’s Face The Nation host Bob Schieffer, NCAL’s Executive Director David Kylo and AHCA President and CEO Bruce Yarwood discussed long term care issues facing America’s seniors and the need for media to keep the spotlight on them. Schieffer’s newly gained knowledge of long term care issues should be helpful to the association as he interviews members of Congress and policymakers on future broadcasts of Face the Nation. Schieffer is a well- respected, political journalist and this public affairs program often sets the agenda of Washington lawmakers and influences political opinion.
- From the NCAL newsroom, NCAL and AHCA issued 25 press releases and submitted three statements to congressional committees on hearings dealing with long term care legislation that would impact assisted living operations.

Workforce

- On March 4, NCAL/AHCA hosted a Webinar on the *Employee Free Choice Act (EFCA)*. The Webinar gave a history of the labor movement, provided an overview of current union practices, and explained the changes and impact the *EFCA* would have on providers if passed by Congress.
- Education sessions for NCAL Day, taking place on October 4, and the assisted living track of the AHCA/NCAL 60th Annual Convention and Exposition were developed in quarter one and are currently being refined.

Quality

- The NCAL Quality Committee debuted its Advocating for Care Excellence (ACE) initiative. This new quality initiative will house all of NCAL's current and future quality resources and tools. ACE is based on NCAL's five guiding principles of quality: Person-centered Caring; Ethical Practices and Financial Stewardship; Mission and Vision Statements; Quality Improvement; and Workforce.
- In quarter one, NCAL and My InnerView (MIV) hosted two very successful Webinars. The first Webinar provided an overall introduction to the MIV process and the second focused on employee commitment. Both were well attended. These Webinars are part of a series of data and quality Webinars designed to show members how to collect, analyze, and benchmark their data to make informed business decisions.
- NCAL staff gave a presentation on NCAL's Quality Principles and MIV to 350 people at a Pennsylvania Health Care Association / Center for Assisted Living Management conference.
- The NCAL Quality Committee has met in person and via several conference calls to complete its work on performance measures. The committee anticipates completing its work by the beginning of June and will bring the finished product to the Board for approval at the June meeting.
- Two subcommittees have been formed within the NCAL Quality Committee. Each subcommittee has been tasked with developing a specific in-service training tool for providers. The first subcommittee is working on a tool to help providers better serve gay, lesbian, bisexual and transgender populations in assisted living. The second subcommittee has begun work on developing Guiding Principles for Dementia Care in assisted living.

Governance

- As is tradition, NCAL will hold its annual election at the annual convention and expo. A different twist is that NCAL will hold the elections in conjunction with the AHCA elections, which take place during the Council of States meeting. NCAL and AHCA staff are working closely to ensure a seamless and successful transition.
- NCAL's Board of Directors convened its annual meeting in February in Scottsdale, Arizona. Items included on the Board's agenda were:
 - An update by AHCA/NCAL Chief Executive Bruce Yarwood on the national political agenda of the new Congress and the Obama administration;
 - A review of the professional initiatives and educational programs under development or near completion;
 - Discussion on the progress of the Agency for Healthcare Research and Quality Consumer Disclosure Collaborative, a yearlong profession-wide collaborative to develop a consumer disclosure tool that can be used by organizations such as area offices on aging, to help consumers to compare and select assisted living communities;
 - Employee Free Choice Act and the Employee Free Choice Act Toolkit;
 - Grassroots, PAC, facility tours and fundraisers.

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