



# First Quarter 2013 Accomplishments

## Advocacy/Policy

- NCAL published and distributed the 2013 edition of “Assisted Living State Regulatory Review” and an accompanying analysis, finding that 18 states made changes to assisted living regulations, statutes, and policies during 2012. Nine states made major changes including innovative changes to survey processes. The annual report summarizes state assisted living regulations across 21 categories including life safety, physical plant requirements, medication management, and move-in/move-out criteria. Used by government officials, assisted living providers, media, researchers, and others, the report and trend analysis are available on NCAL’s web site.
- NCAL continued discussions with federal policymakers concerning key unresolved issues in the Centers for Medicare & Medicaid Services’ (CMS’) most recent proposed rules defining Medicaid home- and community-based services (HCBS) settings. As of April 1, CMS had not published a final rule after several years of deliberation. While the most recent definition of HCBS settings is much improved from the previous version, NCAL continued working on ways to resolve key issues that still might prevent some assisted living providers from participating in Medicaid. According to CMS staff, once they agree on text of a final rule, it typically would take at least six months to work its way through the final steps of the regulatory approval process before taking effect.
- Comments submitted by NCAL and AHCA expressed concerns about a CMS proposal on whether to consider increases in Medicaid beneficiary cost sharing. In general, AHCA/NCAL believes CMS should exercise a good deal of caution on whether to allow an increase in maximum beneficiary cost sharing or nominal cost sharing for Medicaid long term services and supports in community-based settings.
- NCAL and AHCA submitted comments in response to a Drug Enforcement Administration’s (DEA) proposed rule regarding the disposal of controlled substances. In its comments, AHCA/NCAL supported the general direction of the proposed rule however some components must be clarified and or modified in order for long term care (LTC) providers to operationalize provisions that impact LTC settings. AHCA/NCAL

also urged the DEA to increase the controlled substances disposal options available to LTC providers, and clarify ways in which LTC facilities can meet their obligations under the rule while continuing to provide quality care for their residents in a safe and compliant manner.

- NCAL worked with U.S. Department of Treasury officials to educate members and assisted living residents about the Treasury's switch from paper checks to electronic payment for Social Security and other federal benefit programs, effective March 1, 2013. Despite urging beneficiaries to meet the deadline, Treasury officials say that no Social Security recipients will be denied a payment if it takes them longer to make the transition.
- A work group comprised of NCAL Board members filed final comments on new assisted living architectural standards being developed by the Facilities Guidelines Institute (FGI). NCAL members contributed heavily to the draft and were generally pleased with the contents, which will be included in the 2014 edition of the FGI's "Guidelines for Design and Construction of Health Care Facilities." The guidelines are used by more than 42 states and several federal agencies to regulate health care facility design and construction in the United States.
- The National Center for Health Statistics (NCHS) continued to ask NCAL to inform its membership about the 2012 National Survey of Long Term Care Providers. NCAL publicized this effort through *NCAL Focus*, *NCAL Connections*, and teleconference calls with committees. NCHS reported the national response rate from assisted living/residential care providers was greater than 60 percent. Some study results are expected to be released later this year.

## Quality

- The NCAL Board of Directors approved the Quality Committee's recommendation to partner with the New Jersey Hospital Association's Patient Safety Organization (PSO). NCAL is currently working on a contract with the NJHA PSO.
- At the Fourth Annual AHCA/NCAL Quality Symposium in San Antonio, an education session on PSOs was well-attended and received.
- A PSO one-pager was developed to help members understand what a PSO is, answer their frequently asked questions, and raise awareness of the Tier II Clinical Performance Measures.
- In conjunction with the American Assisted Living Nurses Association (AALNA), NCAL held the "Caring Together" quarterly conference call for assisted living nurses on safely reducing off-label use of antipsychotics.
- The AHCA/NCAL National Quality Awards Program received 65 applications for the Bronze level from assisted living members, an increase from the previous year's 42

applications. Last fall the National Quality Awards Program announced that it had developed assisted living criteria for the Bronze level with the assistance of several NCAL Board members. NCAL created a publicity campaign aimed at encouraging more assisted living members to apply for the Bronze level during the 2013 award cycle.

- For the 2014 award cycle—set to begin later this year—the AHCA/NCAL Quality Award Program announced assisted living-specific Silver Award criteria would be developed.

## **Workforce**

- The Vacancy, Retention, and Turnover Survey (VRT) opened in February and 441 responses have been collected thus far. This year in addition to a downloadable survey, the VRT is available to complete online via Survey Monkey. The survey remains open until May 17, 2013. The VRT survey has been promoted through *NCAL Connections*, *NCAL Focus* and a membership-wide mailing. Progress reports on the number of VRT surveys received by states have been sent out to the State Affiliates, NCAL Board, and NCAL Committees.
- The NCAL Awards Program opened in February and is accepting nominations until May 17, 2013. Thirteen nominations were received during first quarter. To encourage more applications for the NCAL Awards Program, a member mailing was conducted, a full-page ad was featured in *Provider* magazine, and stories were featured in *NCAL Focus* and *NCAL Connections*. In addition, this year the Customer Relations committee will assist the Workforce committee with judging of the awards.

## **Customer Relations**

- The revised version of, “Choosing an Assisted Living Residence: A Consumer’s Guide” was made available to NCAL’s membership. The guide provides consumers with a step-by-step process for selecting a suitable assisted living residence that meets the needs and preferences of the individual. The brochure has a more modern look and includes new features such as how to conduct an Internet search for a community and the financing methods used to pay for assisted living. Providers can also use the guide as complimentary gift as part of a marketing effort or when hosting prospective clients on tours.
- Almost 40 NCAL member communities had submitted 225 examples of arts and crafts created by their residents for display in the second “Art for the Ages” online photo exhibit. Participation increased more than 100 percent above the first “Art for the Ages” exhibit which debuted in 2012. Administrators and activity directors expressed appreciation for the opportunity to have their residents’ work showed to the public. Shortly after the March 29<sup>th</sup> deadline for submissions, NCAL began receiving emails

about when their residents' arts or crafts would be displayed. The second album will be posted during second quarter 2013.

## Membership

- At the end of the first quarter, NCAL member beds stood at 150,641, an increase of 5,683 beds since the beginning of the year. NCAL has already surpassed our 3 percent growth goal for 2013, with our growth standing at 3.92 percent currently. NCAL expects this growth to continue.
- The logo for the 2012 National Assisted Living Week® was completed in first quarter and will soon be available for download at [www.nalw.org](http://www.nalw.org). The event will take place September 8 – 14, 2013 and will feature the theme “Homemade Happiness.” Design of the National Assisted Living Week Planning Guide and Product Catalog has begun and will be available in early June. Visit NALW.org periodically as the event approaches for additional information. If you have any questions or have difficulty downloading the logo, please contact Katherine Preede at [kpreede@ncal.org](mailto:kpreede@ncal.org).
- On Feb. 25, 2013, NCAL held its third Assisted Living In-House General Counsel Roundtable, which took place in conjunction with the American Health Lawyers Association's Long Term Care and the Law Conference in Austin. The Roundtable featured two attorneys as featured speakers, Rebecca Adelman and Sarah Swale, who discussed critical issues surrounding risk management. More than 35 corporate in-house general counsels from assisted living companies across the nation participated in this unparalleled networking event.
- The second annual NCAL Spring Conference, “The Customer Experience in Assisted Living,” was held March 12-13 at the Westin Beach Resort & Spa in Fort Lauderdale, Fla. The conference featured in-depth educational sessions, engaging keynote speakers, and several networking opportunities that assisted living providers participated in. The event was a great success for NCAL and dates and location for the 2014 event will be announced soon.
- The NCAL State Leader program held its first conference call of 2013 in March. This year, the NCAL State Leaders will be reading “Great by Choice,” by Jim Collins and discussing the book, their leadership goals, and visiting members of Congress during the in-person training in Washington, D.C. Planning for the training has begun and the event will be held at the Hamilton Crowne Plaza hotel July 8-10.
- In the first quarter, NCAL staff presented at state affiliate conferences in Kansas, Michigan, and Oregon.

## Governance

- NCAL opened its election season for the NCAL Board of Directors 2013-2014 term with a call for candidates. Members in good standing interested in becoming a candidate for an open position on the Board of Directors must submit completed candidate applications by June 14, 2013. Candidates are needed for three officer positions—Chair, Vice Chair, Secretary/Treasurer—and seven At-Large Representatives. Elections will be held at the AHCA/NCAL 64<sup>th</sup> Annual Convention & Expo in October.

### NCAL Staff Contact Information

#### Governance Issues

David Kylo, Executive Director

[dkylo@ncal.org](mailto:dkylo@ncal.org)

#### Legislative, Regulatory and Policy Issues

Karl Polzer, Senior Director of Assisted Living Policy

[kpolzer@ncal.org](mailto:kpolzer@ncal.org)

#### Membership and Business Development

Katherine Preede, Director of Membership

[kpreede@ncal.org](mailto:kpreede@ncal.org)

#### Workforce and Quality Improvement Issues

Lindsay Schwartz, Director of Workforce and QI Program

[lschwartz@ncal.org](mailto:lschwartz@ncal.org)

#### Communications, Publications, and Consumer Issues

Lisa Gluckstern, Director of Public Affairs

[lgluckstern@ncal.org](mailto:lgluckstern@ncal.org)

#### Member and Board Relations

Martece Yates, Specialist of Member and Board Relations

[myates@ncal.org](mailto:myates@ncal.org)