



CHANGING  
*Maryland*  
*for the Better*

# Assisted Living Presentation Community Integration Programs Training

Presented by:

Quality and Compliance Review Unit

Medicaid Division of Quality and Compliance Review

Department of Health and Mental Hygiene



# Assisted Living Services in the Home and Community-Based Options Waiver (HCBOW)

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- Federal Centers for Medicare and Medicaid (CMS) fund Maryland Medicaid Programs
- CMS requires certain assurances in operating HCBS programs:
  - Health and welfare of participants is safeguarded
  - Qualified providers- our role is specific to Assisted Living facilities serving waiver participants
- Medicaid only reimburses for assisted living services for individuals enrolled in HCBOW.



# Assisted Living Requirements

A Medicaid Assisted Living facility (ALF) must:



- Be a licensed provider by OHCQ according to COMAR 10.07.14
- Have an Assisted Living Manager and an Alternate Manager that meet certain criteria for qualification.
- According to 10.09.54.05 an ALF
  - Must have at least one staff person per 8 residents on duty at all times during the day and have a staff-to-resident ratio at night.
  - Cooperate with quality assurance monitors and facilitate any on-site visits to review compliance with all waiver and regulatory requirements.



# Assisted Living Services

Key services include:



- Assisting the participant with Activities of Daily Living (ADLs)
- Maintain basic personal hygiene of the participant
- Management of the Medication Administration and documentation on the medication administration record (MAR)
- Housekeeping
- Laundry
- Menu planning
- Meal preparation and serving
- Assist with transportation arrangements for needed services for the participant



# Assisted Living Facts

## Level of Care

- Three levels of care in assisted living:
  - Low
  - Moderate
  - High
- HCROW allows billing for participants who are:
  - Level II- Moderate level
  - Level III- High level of Care
- Assisted living facilities come in all sizes; over 100 beds, to facilities with 3 beds.
- There are approximately 636 enrolled as HCROW providers and over 400 that are currently serving participants.



# Assisted Living Monitoring

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- The Division of Quality and Compliance Review (DQCR) works closely with the Office of Health Care Quality (OHCQ).
- DQCR oversees the Reportable Event (RE) process and monitoring for quality of care and compliance with regulatory requirements.



# Role of Quality and Compliance Review (QCR) Unit

- Staff of QCR Unit consists of:
  - Quality Assurance Specialists- review assigned Reportable Events (REs); consisting of complaints, hospitalizations, or critical incidents received through LTSS for assisted living.
  - Conduct desk reviews
  - Conduct an on-site monitoring investigation if there is an incident that impacts the health and welfare of a participant
  - Issue a Corrective Action Plan (CAP) to providers who are not meeting the standards set forth
- Provide new enrollment provider orientation to all Medicaid Assisted Living provider applicants.
- Request information from Supports Planners regarding REs assigned, to aide in the review and completion of RE cases.



# Role of Quality and Compliance Review (QCR) Unit

- Specialists communicate regularly with OHCQ staff regarding reported problems in facilities enrolled as Medicaid providers of Assisted Living.
- Investigate Complaints received from:
  - Reportable Events
  - The Office of Health Care Quality
  - The Ombudsman program
  - Others- family members, agencies, other entities
  - Supports Planners
    - » May contact the QCR Unit directly by email or phone in addition to submitting an RE and any supporting documentation
    - » Please note: All cases of Abuse, Neglect, and Exploitation must be reported to Adult Protective services (APS) by the Supports Planner



## QCR Unit Coordination

- DQCR may enter into joint actions with OHCQ if necessary to address serious non-compliance of Assisted Living Facilities (ALFs)
  - Emergency Suspensions and revocation of license (OHCQ only)
  - Medicaid disenrollment
  - Settlements
  - Monitored probation (typically 18 months to 2 years)



## QCR Unit Coordination

- An official OHCQ complaint can be filed with OHCQ using the designated complaint email address: [al.help@maryland.gov](mailto:al.help@maryland.gov) or through the OHCQ website, regarding problems in enrolled Medicaid ALFs.
- Upon request of QCR staff, OHCQ will share facility surveys; which detail all deficiencies.
- Medicaid joins in with OHCQ sanctions against ALFs, such as disenrollment and settlement agreements
  - Emergency suspensions and license revocations result in the need to assist participants to move; the QCR Unit coordinates with Supports Planning Agencies regarding this process.



## QCR Unit Coordination

- QCR Unit may become aware of issues with an Assisted Living before OHCQ; as a “mandatory reporter”, it is QCR’s responsibility to share as much detailed information as possible with OHCQ to aide them in an investigation.
- State and local Ombudsman and QCR Unit share information on significant problems of non-compliance in ALFs.
- Participate in Ombudsman Stakeholder meetings held by the Department of Aging’s Office of the State Long Term Care Ombudsman Program.



## QCR Unit Coordination

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- Medicaid may also join in settlement agreements with OHCQ, rather than proceed to the Office of Administrative Hearings (OAH).
  - Providers must adhere to all the terms of the settlement agreement.
  - Providers can be placed on probation by OHCQ and/or Medicaid; typically for 18 months to 2 years if deemed necessary.



# More Compliance



- QCR Unit requires corrective action plans from ALF providers when a complaint, critical incident, or proactive monitoring identifies non-compliance. This information is shared with OHCQ.
- On-going provider training is needed to improve the quality of assisted living services.
  - QCR Unit plans to conduct additional training of ALF providers during the Spring of 2017.



# Questions



# Contact Us

If you have concerns about quality of care, rights, and safety of participants residing in an assisted living facility, please contact us!

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