



# JCHC Studies of Congregate Care Settings

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Workgroup on Congregate Care Licensing  
September 15, 2022

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## JCHC conducted four studies related to ALFs and NFs since 2017

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- Staffing Ratios in Assisted Living Facilities (2017)
- Emergency Power Sources for Assisted Living Facilities (2018)
- Workforce Challenges in Virginia's Nursing Homes (2021)
- Affordability of Assisted Living Facilities (ongoing; 2022)

NOTE: All JCHC reports and briefings can be found at [jhc.virginia.gov](http://jhc.virginia.gov).

# None of the studies directly addressed the issues raised by HB 234

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- Each of the studies focused on specific questions related to workforce, regulation, or funding
- None of the projects focused on improving efficiency of oversight or availability of consumer information

# Research did yield some information on efficiency and public transparency

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- In the process of conducting each study, staff did identify some useful information relevant to the workgroup
  - Gained an understanding of how the public navigates services
  - Heard concerns from state agency staff and facility operators about licensing and oversight processes
- Information discussed today comes from staff research but was not in final JCHC reports or recommendations

# Early ALF Studies: Relevant takeaways

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- Focused on the impact of auxiliary grant reimbursement rates on the ability of facilities to hire staff
- Found that at the time, DSS needed improved IT capabilities to track and report licensing violations
  - Now a public database of licensing inspection results
- Study of emergency power requirements resulted in a notice requirement to potential residents of whether the facility has a backup power source

# Current ALF Study: Licensing observations

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- States are the primary licensing body for assisted living facilities, with multiple agencies playing a role
  - DSS licenses the facility itself
  - DHP licenses the long-term care administrators (not necessary for ALF residential level of care)
  - DARS certifies ALFs for the auxiliary grant program
- There are some concerns from staff about the need for coordination; still vetting findings with agencies

NOTE: Current study will be presented to the JCHC on October 5, 2022.

# Current ALF Study: Public transparency observations

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- ALFs vary substantially in their facilities, services, and target populations
  - Continuing Care Retirement Communities (CCRCs)
  - ALFs with different mix of private pay and auxiliary grant
  - ALFs focusing on memory care or behavioral health services
- Consumers do a lot of legwork to find facilities; tour them to understand services and the environment
- No consolidated information on quality of care in ALFs

NOTE: Licensing results are now publicly available through the DSS website.

# NF Study: Public transparency observations

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- There is a significant amount of data available on nursing facilities
  - CMS hosts the Nursing Home Compare website
  - Much of the data underlies the CMS star rating system
- Consumers use the star rating system when deciding on facilities
  - Star ratings are a useful guideline, but operators indicate it's imperfect

# NF Study: Public transparency observations

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- Complaints go to different places
  - State Ombudsman program
  - Adult protective services
  - Licensing complaints
- Challenging for the public to find out about all complaints related to a nursing facility
- OLC publishes inspection and survey reports

NOTE: Issue regarding complaint information is also relevant to ALFs.

## Key takeaways

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- Available, public information varies significantly between assisted living and nursing facilities
  - Identifying potential placements
  - Assessing cost and quality
- JCHC work identified some coordination issues; no indication that separate licensing impedes oversight

# Additional considerations for both ALF and NF licensing

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- Both ALFs and NFs indicate increased BH needs
  - No ALF or NF licensing criteria related to capacity to address behavioral health needs
  - There are memory care licensing requirements
- Increased patient acuity in both ALFs and NFs impact level of care provided
  - Some ALF residents can meet NF level of care
  - Operators with both ALFs and NFs indicate significant differences in regulations

## Questions and discussion

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