JCHC conducted four studies related to ALFs and NFs since 2017

- Staffing Ratios in Assisted Living Facilities (2017)
- 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 jchc.virginia.gov.
None of the studies directly addressed the issues raised by HB 234

- 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

- 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

- 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

- 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

• 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

• 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

• 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

• 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

• 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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