
 GEORGIA DEPARTMENT OF COMMUNITY HEALTH

Maintaining Regulatory Compliance




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Personal Care Home Program

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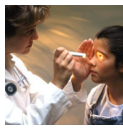
DCH Mission

ACCESS




Access
to affordable,
quality health
care in our
communities

RESPONSIBLE




Responsible
health planning
and use of
health care
resources

HEALTHY



Healthy
behaviors and
improved
health
outcomes

 GEORGIA DEPARTMENT OF COMMUNITY HEALTH 1

CURRENT MATTERS

BACKGROUND CHECKS

LONG-TERM CARE BACKGROUND CHECK PROGRAM

BACKGROUND CHECKS

- ✓ SB 406 signed into law May 7, 2018 by Gov. Deal
- ✓ Rules are currently being revised to meet requirements of the new law.



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WHAT AM I REQUIRED TO DO NOW?

WHAT AM I REQUIRED TO DO NOW?

SIT TIGHT


AWAIT REVISION OF THE RULES AND REGULATIONS

Disaster Preparedness

DISASTER PREPAREDNESS

GHA911 Registration

Go to the GHA911 Website (<http://www.gha911.org>) and contact Coalition for registration information

 **GEORGIA DEPARTMENT OF COMMUNITY HEALTH**


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Contracted services

CONTRACTED SERVICES

Rule 111-8-63-.07 Owner Governance


1. The assisted living community must have a functioning governing body which is responsible for providing the oversight necessary to ensure that the community operates in compliance with these rules, the Rules for General Licensing and Enforcement, Chapter 111-8-25, the Rules for Proxy Caregivers, Chapter 111-8-100, as applicable and other applicable state laws and regulations.

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CONTRACTED SERVICES

Rule 111-8-63-.07 Owner Governance

2. (2) The governing body is responsible for implementing policies, procedures and practices in the community that support the core values of dignity, respect, choice, independence and privacy of the residents in a safe environment and in accordance with these rules

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CONTRACTED SERVICES

Rule 111-8-62-.07 Governing Body

The governing body is responsible for providing the oversight necessary to ensure that the home operates in compliance with applicable requirements: Chapter 7 of Title 31 of the Official Code of Georgia Annotated, administrative rules and regulations of the Department of Community Health, Chapters



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Maintaining Regulatory Compliance

EXPECTATION

Rule 111-8-62-.25 Supporting Residents' Rights

1 (a) Each resident must receive care, and services which must be adequate, appropriate, and in compliance with applicable federal and state law and regulations



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EXPECTATION

Rule 111-8-63.25 (1) (a) Supporting Residents' Rights

The assisted living community must provide to each resident care and services which are adequate, appropriate, and in compliance with state law and regulations



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FULFILLING THAT OBLIGATION

AREAS OF FOCUS:

1. Adequate screening/assessment of the resident
2. Screening/assessment of skill set/staff
3. Screening/assessment of environment
4. Provision of care and services




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ADEQUATE SCREENING/ASSESSMENT OF THE
RESIDENT

Rule 111-8-62-.15 Admission

a) Persons admitted to a personal care home must be at least 18 years of age.

(b) The home is permitted to admit and retain only ambulatory residents who are capable of self-preservation with minimal assistance, i.e. staff may assist the resident in transferring from a sitting or reclining position and provide verbal directions to residents who are able to self-propel to the nearest exit.


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Rule 111-8-62-.15 Admission

(d) The home must not admit, or retain persons who require the use of physical or chemical restraints, isolation, or confinement for behavioral control

(e) No home is permitted to admit residents who either require continuous medical services or continuous nursing care and treatment.


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Rule 111-8-62-.15 Admission

(f) Medical, nursing, health or therapeutic services required on a periodic basis, or for short-term illness, must not be provided as services of the home. When such services are required, they must be purchased by the resident or the resident's representative or legal surrogate, if any, from appropriately licensed providers managed independently from the home. The home may assist in arrangement for such services, but not provision of those services

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Rule 111-8-63.15

(a) The resident must be an adult who is at least 18 years of age.

(b) The resident must not have active tuberculosis, or require continuous medical or nursing care and treatment or require physical or chemical restraints, isolation or confinement for behavioral control.



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Rule 111-8-63 . 15

(c) The resident's physical condition must be such that the resident is capable of actively participating in transferring from place to place.

(d) The resident must be able to participate in the social and leisure activities provided in the assisted living community.



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SUPPORTING RESIDENTS' RIGHTS

CAN WE USE THESE?



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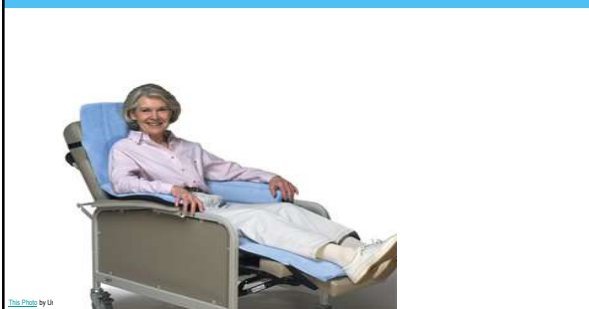
SUPPORTING RESIDENTS' RIGHTS



SUPPORTING RESIDENTS' RIGHTS



SUPPORTING RESIDENTS' RIGHTS



SUPPORTING RESIDENTS' RIGHTS



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Maintaining Compliance

- ✓ Initial assessment
- ✓ Ongoing assessments
- ✓ Prioritize resident safety
- ✓ Discharge per regulations and facility's policy
- ✓ Waiver application for PCH



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A WORD ABOUT WAIVERS

FACTORS CONSIDERED:

- ✓ Facility's compliance with regulations
- ✓ No current or outstanding fines
- ✓ Resident must have lived long enough at the facility to consider it home
- ✓ Facility can deliver the care without compromising the safety of the resident or any other resident
- ✓ Adequate or additional staffing



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Can we use these?



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RESIDENTS' RIGHTS



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QUESTION

ARE PHOTOGRAPHS EVER PERMITTED?




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QUESTION

ARE PHOTOGRAPHS EVER PERMITTED?

IDENTIFICATION PURPOSES
MAR – RIGHT RESIDENT
IF IDENTIFIED AS AT RISK FOR ELOPEMENT
MEMORY CARE TO HELP IDENTIFY ROOM
AT REQUEST OF RESIDENT/RP




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SCREENING/ASSESSMENT OF STAFF

SCREENING/ASSESSMENT OF STAFF


- **111-8-62-.10 Staffing.**
(1) The home must maintain a minimum on-site staff to resident ratio of one awake direct care staff person per 15 residents during waking hours and one awake direct care staff person per 25 residents during non-waking hours where the residents **have minimal care needs**.

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SCREENING/ASSESSMENT OF STAFF

111-8-62-.10 Staffing

- However, the home must staff **above** these minimum on-site staff ratios to meet the specific residents' ongoing health, safety and care needs.

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SCREENING/ASSESSMENT OF STAFF

111-8-62-.10 Staffing

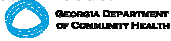
(c) Residents must be supervised consistent with their needs.



SCREENING/ASSESSMENT OF STAFF

Rule 111-8-63 (9) (18)

The community must maintain a minimum on-site staff to resident ratio of one awake direct care staff person per 15 residents during waking hours and one awake direct care staff person per 25 residents during non-waking hours where the residents have minimal care needs. However, the assisted living community must staff above these minimum on-site staff ratios to meet the specific residents' ongoing health, safety and care needs.



SCREENING/ASSESSMENT OF STAFF

111-8-63-(9) (18) (c)


Residents must be supervised consistent with their needs.



ELOPEMENT

Resident Jane Smith diagnosed with early dementia left the 90 bed facility unnoticed by staff. Staff reporting for the 3 – 11 p.m. shift, noticed the resident attempting to cross a busy street. Staff was able to get the resident in her car and returned the resident to the facility.

IS THIS INCIDENT REPORTABLE?




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ELOPEMENT

CONSIDER

1. What did the facility do, or fail to do?
2. Was the resident harmed, or at risk for harm?
3. Does the 30 minute interval for reporting apply?



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Scenerio

Staff Susan was observed by Staff Sue hitting Resident Jane Smith in the face. Staff Sue was so shocked that she was speechless. It bothered her for several days, she finally reported it 3 days later to the Administrator.

Scenario

This is your facility how will you handle this?

Scenario

Should the facility receive a citation?
Why?
Why not?

SCREENING/ASSESSMENT OF ENVIRONMENT

Rule 111-8-62-.13 Physical Plant Health and Safety Standards

- 1) Each home must be in compliance with fire and safety rules promulgated by the Office of the Safety Fire Commissioner for the personal care homes it regulates.

- (2) Each home must be in compliance with applicable local ordinances that specifically address fire safety in homes of that size and function. Private quarters must be maintained in such a manner as to comply with fire safety codes and not threaten the health or safety of residents.



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Rule 111-8-62-.13 Physical Plant Health and Safety Standards

- (2) (c) Space heaters must not be used, except during an emergency situation after obtaining specific written approval of the fire safety authority having jurisdiction over the home.



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Rule 111-8-63-.13 Community Safety Precautions

- (5) Space heaters must not be used, except during an emergency situation after obtaining specific written approval of the fire safety authority having jurisdiction over the assisted living community




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QUESTION

Is it OK to use a space heater if it's not in the resident area
i.e. administrator's office?

Rule 111-8-62-.18 Requirements for Memory Care Services

(1) A home which serves residents with cognitive deficits which place the residents at risk of eloping must Utilize appropriate effective safety devices, which do not impede the residents' rights to mobility and activity choice or violate fire safety standards, to protect the residents who are at risk of eloping from the premises

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Rule 111-8-63-.18 Requirements for Memory Care Services

(1) An assisted living community which serves residents with cognitive deficits which place the residents at risk of eloping, i.e. engaging in unsafe wandering activities outside the assisted living community must do the following:

(b) Utilize appropriate effective safety devices, which do not impede the residents' rights to mobility and activity choice or violate fire safety standards, to protect the residents who are at risk of eloping from the premises.

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Question

How effective are your safety devices?

Question

What are your procedures for testing?

What is the expected response?


Have you personally tested your staff's reponse?

PROVISION OF CARE AND SERVICES

EXPECTATION

Rule 111-8-62-.25 Supporting Residents' Rights


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EXPECTATION

Rule 111-8-63.25 (1) (a) Supporting Residents' Rights

The assisted living community must provide to each resident care and services which are adequate, appropriate, and in compliance with state law and regulations

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Question

What about self-administration of medications?

Question

Any safeguards needed with self administration of medications?


Who determines when the resident is no longer capable of self-administering?

ADDITIONAL ISSUES

Rule 111-8-62-.25 Supporting Residents' Rights

Dealing with family members

- Refills not obtained timely
- Missed Md appts
- Instructed not to send to hospital until family arrives
- Instructed to take away resident's phone


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ADDITIONAL QUESTIONS


Rule 111-8-62-.25 Supporting Residents' Rights

What about feuding family members??

- Limiting/restricting visits of another sibling?
- Limiting/restricting phone calls from another sibling?

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ADDITIONAL QUESTIONS



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Contact Information

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CONCLUSION



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