

**RESIDENTIAL OR ASSISTED LIVING FACILITIES  
SURVEY & LICENSURE  
RESTRUCTURING PROJECT WORK GROUP**

**MEETING NOTES**

**Meeting Date:** June 25, 2004

**Meeting Location:** Medicaid Offices Conference Room D, 3232 Elder Street, Boise, Idaho

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**Participants:** Angela Browning, Jerry Shriner, Jerry Mitchell, Virginia Loper, Linda Simon, Debby Ransom, Robert Vande Merwe, Debora Corbin, Chris Baylis, Sharon Ashcraft, Cathy Hart

**Sponsor:** Randy May

**Facilitators:** Marsha Bracke, Susan Hayman

**Support Staff:** Steve Millward

**Observers:** Jim Shadduck, Nicole Martin, Randy Goss, Michelle Glasgow, Bev Barr, Keith Fletcher,

**Meeting Objectives:**

1. Refine inspection guides
2. Provide updates and seek input, as appropriate, on scheduled items
3. Articulate next steps

**Handouts:**

- Agenda
- Reference Guide – Policies & Procedures
- Training Checklist
- Programs of Care Overview

**Decisions:**

1. Utilize checklists (Inspection Guides are checklists → add to name!)
  - Internal Quality Assurance
  - To survey to by the Department
2. “Policy & Procedures” is a reference guide (not an Inspection Guide) → name is changed now!
3. Group agrees to focus on checklists (making them streamlined, “mean & lean”). Hold off on any further work with P&P reference guide for now (after checklists are done)
4. The unsuccessful party will pay for IDR neutral contractor. (two exceptions Virginia & Debby)
5. State will appeal neutral contractor decision if it violates state law (i.e., legal issues, not questions of appropriate care).

**Action Items:**

1. The workgroup is to provide input on Programs of Care proposal to Steve by Thursday, July 1, 2004.

2. Program of Care Subcommittee to refine proposal based on input from workgroup by Thursday, July 8, 2004.
3. Task List assignments

### **Agenda Items for June 9, 2004**

1. Continue review of next checklists ready by then (July 9)
2. Demonstration of how UAI/NSA will work (subcommittee proposal)
3. Presentation of Program of Care proposal – Workgroup Decision.

### **Public Comments:**

*See Attachment A*

### **Flip Chart Notes:**

#### Inspection Guide Review

1. Is it consistent with vision and mission?
2. Is it consistent with roles and responsibilities?
3. Is it consistent with work group agreements to date?
4. Were all work group members' perspectives considered and acknowledged?

#### Inspection Guide – Policies & Procedures

Overview: Resident Rights

1. All we need is “Do we have a policy for...” and leave it at that. (Already in Statute)
2. Delete from inspection guide, but leave in statute/rule
3. Take out repetition/guidelines – put into check-off list
4. Important to leave in detail so that there are no surprises to facility
5. Compare facility policy & procedures with statute & rules. That is how surveyor can determine compliance. Don't need all the detail currently proposed in inspection guide.
6. Utilize poster of resident rights & tie into inspection guide needs. Reduce volume included in checklist.
7. Inspection guide is for benefit of facility – it is a tool. Facility can choose to use or not. Detail would especially help new facilities.
8. Thought inspection guide was to benefit surveyors as well as facility
9. Make blanket policy statement “facility will have policy...” – then list rights to cover in inspection guide.
10. S&R → Facility Policy & Procedure ← Guide
11. Inspection guide doesn't have to be a mirror of facility P&Ps
12. Proposal: Use guide to what is required for statute & rule. Can write policy & procedures however you want to be consistent with statute & rule. Guide is just a comprehensive resource to tell facilities what will be surveyed, and to orient new facilities.
  - Not for presurvey
  - Not to be cited to!
  - Not to be surveyed to!

Day-to-Day (key) → Checklists (Providers & Surveyors)

P & P → Reference Guide

#### Inspection Guide - Definition

Intent:

1. Tool for facility to know what is being surveyed.

2. Tool for surveyors to choose from during inspection/survey.
  - Don't have to ask every question.
  - Do not intend to survey to P&P inspection guide. Would not "cite" to this P&P inspection guide.
3. One source for all P&Ps required in statute & rule.

### Training Checklist

- Will reflect language regarding Programs of Care
  - \*Note – start with those checklists staff/small groups have worked on for next week
  - \*Looks pretty good, streamline, get this done
- 4(c) Delete. Handled in another place (#6)
- 6. Modify. For dementia, not Alzheimer's (take out Alzheimer's reference). "If the facility has a program of care for dementia..." wordsmith
- 7. Modify: delete ref to P&P. Add "...see the medication checklist."

### IDR

Question #1: Who pays for IDR?

1. Loser Pay (LS, CB, CH, DC, JM, JS, SA)
2. Split Cost (VL, DR)
3. What if win some lose some? (RV, AB)
  - base on percentage lose/won

Question #2: State ability to challenge neutral contractor decision to hearing officer. Outside entity binding on State? Director should have ability to go to next channel (appeal) decisions violating statute/rule. (State AG advice)

- State won't contest care issues
- State would potentially contest legal issues

Comments: (1) State would appeal to district court, rather than just overturn hearing officer. (2) Outside contractor must be acceptable to IDALA.

IALNA willing to participate as neutral contractor pro bono.

### Evaluation

Positive	Change
Last 2 hours very productive (thanks to Marsha/Randy)	Feels like we keep stepping back – concern for meeting timelines
Ditto	
Glad we got something accomplished	
Clarification helped eliminate disagreement over inspection guide.	← This was frustrating though
Glad we will have a break next week!	Today was tough at first
Appreciate behind-the-scenes support work (e.g., subcommittee prep.)	Extremely frustrated at first
Thanks to surveyors! (group applause)	Need to look at task list for 7/9 and prioritize, be ready for discussion