

## 1. Standardize the Definition of “Small Assisted Living Program.”

We are proposing a change in the definition of “small assisted living programs” in Maryland to align with the requirements of the Office of Health Care Quality (OHCQ) for the assisted living program application process. Specifically, we propose revising the definition of small assisted living programs to include programs with five or fewer beds. This adjustment will ensure consistency and streamline the application process by aligning it with the zoning and permit requirements set by most jurisdictions in Maryland.

- **Alignment with OHCQ Assisted Living Program Application:** The proposed change in the definition of small assisted living programs will bring it in line with the requirements stated by the OHCQ in their assisted living program application.
- **Enhanced Clarity and Consistency:** Having a consistent definition of small assisted living programs across the state will increase clarity for assisted living program applicants, Maryland regulatory agencies, and other stakeholders involved in the process. It creates a unified understanding of the criteria for small programs and eliminates any ambiguity surrounding the bed count threshold.
- **Alignment with Zoning and Permitting Practices:** The proposed change aligns the definition of small assisted living programs with the zoning and permitting practices observed in most jurisdictions. This alignment promotes consistency between regulatory requirements and local ordinances, ensuring that assisted living programs comply with both sets of regulations.
- **Support for Smaller Programs:** Redefining small assisted living programs to include those with five or fewer beds recognizes the unique needs and characteristics of smaller programs. In addition to having reduced bed capacity, the smaller programs have a lower staff-to-resident ratio, are typically housed in small buildings or residential homes, have a more limited scope and availability of services and amenities, and healthcare professionals employed in small assisted living programs generally have a lower likelihood of possessing extensive credentials or advanced certifications.

It is essential to create a regulatory framework that accommodates their specific requirements. The proposed change ensures that smaller assisted living programs are not unduly burdened by the same requirements as larger programs, supporting their growth and viability.

## 2. Conduct a Feasibility Study Focused on Data Infrastructure to Collect Assisted Living Program Data for Quality Assessment and Equitable Access Across Jurisdictions for Public Reporting Purposes

Maryland should conduct a feasibility study to assess the possibility of implementing a comprehensive statewide infrastructure in Maryland for collecting and analyzing data related to assisted living programs. This assisted living program data collection infrastructure (AL Infrastructure Study) aims to evaluate the quality of care and services provided by these programs, identify areas for improvement, and ensure accountability among assisted living providers.

The AL Infrastructure Study needs to be designed to gather a wide range of information to assess the quality of care and services provided by assisted living programs. The AL Infrastructure Study should identify areas for improvement and accountability among assisted living programs and providers.

The AL Infrastructure Study will also capture data on the duration or length of time that an assisted living program has been in operation, staffing rates, and staffing turnover. These indicators will help assess the stability and continuity of care within the programs. Ownership information will also be collected to understand the organizational structure and accountability of assisted living programs and providers.

Furthermore, currently available data suggests that small AL Programs are not proportionally distributed across the state. Questions to be answered include. The AL Infrastructure Study will collect information on location, use of the HCBW program, and pricing to determine what resources are needed to encourage proportional distribution of affordable small AL Programs throughout the state and whether a process is needed to ensure proportional distribution of affordable small AL Programs throughout the state.

Finally, assisted living program deficiency rates serve as indicators of the quality of performance exhibited by these programs. When deficiency rates are higher, it signifies a greater occurrence of deficiencies or violations identified during regulatory inspections. This, in turn, raises concerns about the potential presence of quality issues within the facility. The AL Infrastructure Study will collect data on various aspects, including data on assisted living program deficiencies by survey type and by severity. This information will allow for a comprehensive understanding of the specific deficiencies and violations identified during regulatory inspections. Additionally, the AL Infrastructure Study will track the number and type of resident complaints, which provides insights into potential issues affecting resident satisfaction and well-being.

Longitudinal data allows for monitoring and evaluation of the impact of interventions and initiatives aimed at enhancing the quality of care. The AL Infrastructure Study will test the feasibility of tracking trends to identify progress in quality improvement efforts. This data will be provided publicly as part of the public reporting efforts and will include assisted living program data, regardless of their bed size.

By establishing such an infrastructure, Maryland can effectively identify areas for quality improvement and equitable access in assisted living programs and implement targeted interventions to enhance overall care quality and resident access. This feasibility study will assess the possibility of and potential benefits of implementing this comprehensive statewide infrastructure in Maryland's assisted living sector.

### **3. Develop a Strategy to Ensure Availability of Deficiency Reports for Public Reporting Purposes**

It is strongly recommended that the State takes proactive steps to ensure the availability and accessibility of full, redacted summaries of assisted living program deficiencies for public evaluation.

Objective: This recommendation aims to enhance transparency and empower individuals to make well-informed decisions when selecting assisted living programs. To achieve this goal, we propose the following actions:

- **Establish Clear Guidelines:** The State should develop clear guidelines outlining the process for preparing and redacting the statements of assisted living program deficiencies. These guidelines should specify the information that needs to be included in the statements, as well as the necessary redaction protocols to protect sensitive personal information.
- **Implement a User-Friendly Platform:** The department should invest in the development of an intuitive and easily accessible online platform where the public can access full, redacted

statements. This platform should be designed with user experience in mind, ensuring that individuals can easily navigate and search for specific information.

- **Timely Publication:** It is crucial that the State establishes a streamlined process to ensure the timely publication of the assisted living program deficiency summaries. Efforts should be made to minimize any delays in making the information available to the public. This will enable individuals to stay informed and up-to-date on the performance and quality of assisted living programs.
- **Redaction for Privacy Protection:** To safeguard the privacy of individuals involved, the State should prioritize the implementation of effective redaction practices. Redacting personal and sensitive information from the statements will protect the privacy rights of residents, family members, staff, and other parties while still providing meaningful information for evaluation to the public.
- **Promote Public Awareness:** The State should undertake a comprehensive public awareness campaign to inform residents, families, and advocacy groups about the availability of these assisted living program deficiency summaries. This campaign should highlight the importance of accessing and reviewing the statements for informed decision-making when selecting an assisted living program.

By implementing these recommendations, the Maryland Department of Health can demonstrate its commitment to transparency and accountability in the assisted living sector. Providing easy access to full, redacted statements of assisted living program deficiencies will empower individuals to evaluate the quality of care and make informed choices, ultimately improving the overall standards of assisted living programs in the state.

#### **4. Conduct a Thorough Reassessment of Reimbursement policies in the Maryland Medicaid Home and Community Based Waivers Program.**

It is recommended that the Maryland Medicaid Home and Community-Based Waiver (HCBW) program conduct a thorough reassessment of its reimbursement policies to evaluate the need for additional resources or changes. This reassessment will help ensure that the program adequately supports individuals receiving home and community-based services for assisted living programs and promotes their access to quality care. To accomplish this, we propose the following actions:

- **Comprehensive Policy Review:** The Maryland Medicaid HCBW program should initiate a comprehensive review of its reimbursement policies, considering the current landscape of home and community-based services. This review should consider factors such as service costs, provider reimbursement rates, and the impact of these policies on the availability and quality of care.
- **Stakeholder Engagement:** It is essential to engage key stakeholders in the reassessment process. This includes individuals receiving services, their families/caregivers, service providers, advocacy organizations, and experts in the field of home and community-based care. Gathering their input and perspectives will provide valuable insights and ensure that the reassessment process is comprehensive and inclusive.
- **Data Analysis:** The program should analyze data related to service utilization, costs, and provider reimbursement rates. This data analysis will help identify any discrepancies, inefficiencies, or

areas where additional resources may be needed. By leveraging data-driven insights, the program can make informed decisions about reimbursement policies.

- **Benchmarking and Best Practices:** The Maryland Medicaid HCBW program should explore benchmarking with other similar programs in different states to understand their reimbursement policies and identify best practices. This analysis can help determine if there are successful models that can be adopted or adapted to enhance the effectiveness of reimbursement policies in Maryland.
- **Collaboration with Providers:** Collaboration with home and community-based service providers is crucial in this reassessment process. The program should engage in open dialogue with providers to understand their challenges, gather feedback on reimbursement policies, and work together to identify potential improvements or resource needs.
- **Ongoing Evaluation and Monitoring:** Once any changes or adjustments are implemented, it is important to establish a system for ongoing evaluation and monitoring. This will enable the program to assess the impact of the new reimbursement policies and make necessary adjustments based on feedback, emerging trends, and evolving needs.

By conducting a comprehensive reassessment of reimbursement policies, the Maryland Medicaid HCBW program can ensure that it adequately supports individuals receiving home and community-based services, including residents in assisted living programs. This reassessment will help identify any gaps, challenges, or resource needs, and allow for the implementation of effective and efficient reimbursement policies that promote access to quality care and support the well-being of program participants.

#### **5. Collaborate with the Assisted Living Industry to Develop a Public Education Campaign about Assisted Living as a Long-Term Care Option.**

It is recommended that the State, in collaboration with the Assisted Living Programs industry, develops a coordinated approach to educate the public on Assisted Living Programs as a viable long-term care option. This education initiative should focus on raising awareness among various stakeholders, including community healthcare workers, communities, adult day cares, hospital discharge planners, and other relevant entities and individuals. By providing comprehensive information and guidance on finding and evaluating assisted living programs, Maryland can empower individuals and their families to make informed decisions regarding their long-term care needs.

To achieve this, we propose the following actions:

- **Establish an Education Task Force:** Maryland Department of Health should form an Education Task Force comprising representatives from the Assisted Living Program industry, healthcare professionals, community organizations, and relevant stakeholders. This task force will collaborate on developing educational materials, strategies, and initiatives to promote understanding and awareness of assisted living programs.
- **Develop Educational Materials:** The task force should work together to create informative and user-friendly materials that outline the benefits, services, and regulations associated with assisted living programs. These materials should be tailored for different audiences, such as healthcare workers, community members, adult day cares, senior apartments, and hospital discharge planners. The information should include guidance on how to find, evaluate, and

select an appropriate assisted living program based on individual and family/caregiver needs and preferences.

- **Training Programs for Healthcare Workers:** Implement training programs and workshops to educate healthcare workers, including community healthcare workers and hospital discharge planners, about the concept of assisted living programs. These programs should provide in-depth knowledge about the eligibility criteria, services offered, and the role of assisted living programs in the continuum of care. Training should also emphasize the importance of considering assisted living as a viable care option when working with patients and their families or caregivers.
- **Community Outreach and Awareness Campaigns:** Conduct targeted community outreach and awareness campaigns to disseminate information about assisted living programs. These campaigns could include public seminars, informational sessions, and collaborations with local community organizations to reach a wider audience. Additionally, leverage various communication channels, such as social media, websites, brochures, and websites, to provide accessible and up-to-date information to the public.
- **Collaboration with Stakeholders:** Foster collaboration with adult day cares, senior apartments, hospitals, and other relevant entities to ensure that they are well-informed about assisted living programs. This collaboration can involve joint training sessions, informational resources, and regular communication to keep stakeholders updated on the latest developments in assisted living care.
- **Continuous Evaluation and Improvement:** Establish mechanisms for ongoing evaluation and feedback to assess the effectiveness of the education initiatives. Regularly review and update the educational materials based on feedback from stakeholders and evolving needs of the community. This continuous improvement process will ensure that the educational efforts remain relevant and impactful.

By developing a coordinated approach to educate the public on assisted living programs, Maryland can empower individuals and their families to make informed decisions about their long-term care options. This collaborative effort will increase awareness, provide guidance on evaluation, and foster a better understanding of the benefits and services offered by assisted living programs. Ultimately, this will contribute to enhancing the overall quality of care and promoting the well-being of individuals in need of long-term care services.

#### 6. **Develop and Implement a Phone Application or Website Portal for Assisted Living Program Data Sharing.**

##### **Phase 1: Basic Information Reporting**

Objective: Assisted living programs should report basic information to the State of Maryland for improved transparency and regulatory purposes.

1. Assisted living programs will be required to submit the following basic information through the phone application:
  - Program name
  - Owner's name
  - Phone number
  - Address

2. The phone application will provide an intuitive interface for assisted living programs to enter and submit the required basic information securely and efficiently.

### **Phase 2: Catastrophic Health Emergency Data Submission**

Objective: Test the data submission process for catastrophic health emergencies while considering confidentiality of protected health information (PHI) for public reporting.

1. Assisted living programs will be encouraged to voluntarily submit data associated with catastrophic health emergencies through the phone application.
2. The data submission process will ensure that confidentiality of PHI is protected, adhering to applicable privacy and security regulations.
3. Additionally, the phone application will provide a mechanism for reporting infection and supplies information in the event of a catastrophic health emergency.

### **Phase 3: Resident and Family Satisfaction Survey Testing**

Objective: Test a simple resident and family satisfaction survey through the phone application.

1. Assisted living programs will have the option to participate in testing a resident and family satisfaction survey conducted through the phone application.
2. The survey will be designed to gather feedback on various aspects of the assisted living program, such as staff responsiveness, quality of care, and overall satisfaction.

### **Phase 4: Integration of Emergency and Disaster Plan Requirements**

Objective: Integrate emergency and disaster plan requirements into the phone application for easy access, transmission, and public reporting.

1. The phone application will incorporate the emergency and disaster plan requirements outlined in COMAR 10.07.14.B.1-4 for all assisted living programs.
2. Assisted living programs will be able to access, update, and transmit emergency and disaster plan information, including resident tracking and medical fact sheets, through the application.

### **Implementation Considerations:**

- The phone application should have a user-friendly interface, ensuring ease of use for assisted living programs.
- Assisted living programs should receive clear guidance and instructions on using the phone application.
- Data security and privacy measures must be implemented to protect the confidentiality of submitted information.
- Regular training and support should be provided to assist assisted living programs in utilizing the phone application effectively.

By implementing this protocol and developing a dedicated phone application, the State of Maryland can enhance data sharing, streamline reporting processes, improve transparency, and enable better regulatory oversight of assisted living programs.

## **7. Enhance Assisted Living Program Owner and Staff Training Programs and Resources.**

Objective: To improve the quality of care and services provided by assisted living program staff through comprehensive and ongoing training initiatives.

- **Conduct a Training Needs Assessment:** a. Perform a thorough assessment of the current training needs of assisted living program staff. b. Identify areas of improvement, gaps in knowledge or skills, and emerging industry trends. c. Engage with staff, administrators, and subject matter experts to gather insights and input.
- **Develop a Comprehensive Training Curriculum:** a. Create a standardized and comprehensive training curriculum that covers essential knowledge and skills required by assisted living program staff. b. Include topics such as resident care, medication management, emergency preparedness, medication management and administration, infection control, and staff qualification and training requirements. c. Ensure the curriculum aligns with relevant state regulations, best practices, and assisted living program industry standards.
- **Implement a Blended Learning Approach:** a. Utilize a combination of in-person workshops, online modules, webinars, and e-learning platforms to deliver training. b. Incorporate interactive elements, case studies, and role-playing exercises to enhance engagement and knowledge retention where possible. c. Offer ongoing access to training materials and resources for continuous learning and reinforcement.
- **Provide Specialized Training Modules:** a. Develop specialized training modules tailored to specific roles within assisted living programs, such as medication aides, direct care staff, and administrators. b. Address the unique responsibilities and challenges faced by each role to ensure comprehensive training.
- **Encourage Continuing Education:** a. Promote a culture of lifelong learning and encourage staff to pursue continuing education opportunities. b. Provide resources and support for staff to attend conferences, seminars, and workshops related to assisted living care and services. c. Recognize and reward staff who demonstrate a commitment to professional development.
- **Establish Mentoring and Preceptorship Programs:** a. Implement mentoring programs that pair experienced staff with new hires to facilitate knowledge transfer and skill development. b. Offer preceptorship programs to provide hands-on training and guidance for staff during their initial period of employment.
- **Regularly Evaluate and Update Training Programs:** a. Continuously evaluate the effectiveness of training programs through feedback, assessments, and performance indicators. b. Regularly update training materials to reflect changes in regulations, emerging practices, and industry advancements. c. Incorporate feedback from staff and residents to ensure training programs address their needs and expectations.
- **Collaborate with Industry Partners and Subject Matter Experts:** a. Foster partnerships with external organizations, industry associations, and subject matter experts to enhance the training curriculum. b. Seek input and guidance from these partners to ensure training programs are comprehensive, evidence-based, and aligned with industry standards.
- **Allocate Sufficient Resources:** a. Allocate adequate funding, staffing, and time for training initiatives. b. Provide access to technology, training programs, and necessary equipment to support effective training delivery.
- **Monitor and Evaluate Training Outcomes:** a. Establish metrics and performance indicators to measure the impact of training on staff knowledge, skills, and resident outcomes. b. Regularly assess the effectiveness of training programs in improving the quality of care and services provided by assisted living program staff.

By implementing these recommendations, assisted living programs can enhance staff knowledge, skills, and overall competence, leading to improved resident care, increased staff satisfaction, and better outcomes for residents.

#### **8. Develop Programs and Resources to Engage and Retain Assisted Living Program Staff.**

High turnover rates among staff in assisted living programs can have a significant impact on the quality of care and services provided to residents. Retaining qualified and dedicated staff is crucial for ensuring a stable and supportive environment.

- **Collaborate with Assisted Living Programs:** Establish partnerships and collaboration between the Maryland State Government and Assisted Living Programs. Engage in regular communication to understand the unique challenges faced by these programs and work together to address them effectively.
- **Provide Financial Incentives:** Offer financial incentives or grants to Assisted Living Programs that demonstrate effective strategies for staff engagement and retention. This can encourage programs to invest in employee satisfaction initiatives and reward those that successfully reduce turnover.
- **Develop Training and Support Programs:** Create specialized training and support programs targeted at the unique needs of assisted living staff. Offer resources and funding for professional development, certifications, and continuing education to enhance staff skills and knowledge.
- **Implement Workforce Development Initiatives:** Collaborate with educational institutions and training centers to develop workforce development initiatives that cater to the specific needs of the assisted living industry. This can include programs to attract and train individuals interested in working in the field, such as caregiver training programs or scholarships.
- **Establish Quality Standards:** Set clear quality standards for Assisted Living Programs that include benchmarks for staff engagement and retention. Regularly assess and monitor compliance with these standards and provide guidance and support to programs to help them meet the requirements.
- **Offer Consultation and Technical Assistance:** Provide consultation and technical assistance to assisted living programs to help them develop effective strategies for staff engagement and retention. This can include guidance on implementing best practices, conducting staff satisfaction surveys, and creating action plans to address identified issues.
- **Facilitate Networking and Peer Support:** Organize networking events, conferences, or forums where assisted living program staff can connect, share experiences, and learn from one another.
- **Support Research and Data Collection:** Invest in research initiatives that focus on understanding the factors impacting staff engagement and turnover in assisted living programs. Use the findings to inform policy decisions and develop targeted interventions that address the specific challenges faced by the industry.
- **Recognize and Promote Best Practices:** Identify and recognize assisted living programs that demonstrate exceptional staff engagement and retention practices. Highlight these success stories and share them across the industry to encourage other programs to adopt similar strategies.
- **Continuous Monitoring and Evaluation:** Regularly monitor and evaluate the impact of implemented initiatives on staff engagement and turnover rates. Collect and analyze data to assess the effectiveness of interventions and make necessary adjustments to improve outcomes.



## 9. Identify Funding to Support Enhancement of the Long-Term Care Ombudsman Program for Assisted Living

- **Volunteer recruitment:** Develop strategies to attract more volunteers, such as targeted recruitment campaigns and partnerships with community organizations, to augment the existing staff support.
- **Expansion of Ombudsman Presence:** Increase the number of ombudsmen dedicated to assisting assisted living programs to ensure adequate coverage and timely response to complaints and concerns. Consider the geographical distribution and population density of assisted living programs when determining the appropriate number of ombudsmen required.
- **Enhanced Training and Education:** Provide comprehensive training and ongoing education for ombudsmen specifically focused on the unique challenges and needs of assisted living programs. This should include knowledge of relevant regulations, resident rights, and effective advocacy techniques.
- **Develop educational resources:** Create and disseminate educational tools and materials that empower families, consumers, and residents with knowledge about assisted living regulations, finances, quality of care, and other relevant aspects. Collaborate with industry experts, advocacy groups, and healthcare professionals to ensure the accuracy and usefulness of the resources.
- **Data Collection and Analysis:** Establish a robust data collection and analysis system to track and monitor the types of complaints and concerns raised by residents and identify patterns or systemic issues within assisted living programs. Regularly review and analyze this data to inform quality improvement efforts and policy development.
- **Legislative Support:** Advocate for legislative support and necessary changes to enhance the authority and effectiveness of the ombudsman program for assisted living programs. This may include advocating for stronger resident protections, increased regulatory oversight, and adequate resources to carry out program activities.

By implementing these recommendations, the Maryland Department of Health can strengthen the LTC Ombudsman program's ability to support and advocate for residents in assisted living programs, ensuring their rights are protected, and their concerns are addressed in a timely and effective manner.

## 10. Require Assisted Living Programs to Maintain a Valid email address and Internet Access

This requirement is essential to ensure efficient communication and enhance the overall quality of care and services provided to residents.

- **Improved Communication:** In today's digital landscape, email has emerged as the predominant method of communication for agencies, businesses, and healthcare providers alike. Requiring assisted living program owner/applicants to have a valid email address will enable the OHCQ to communicate important updates, regulations, and licensing information promptly and effectively. It will facilitate streamlined communication between the OHCQ and applicants, ensuring that all necessary information reaches the appropriate parties in a timely manner.
- **Timely Notifications:** With internet access, applicants can receive real-time notifications about any changes or updates in licensing requirements, regulations, or submission deadlines. This will prevent delays caused by relying solely on traditional mail, phone or in-person notifications,

enabling applicants to promptly address any issues or comply with any new requirements or regulations.

- **Access to Online Resources:** Mandatory internet access will provide assisted living program owners with access to a wealth of online resources and information related to assisted living programs. It will enable them to have access to the proposed online application to stay updated on best practices, industry standards, and relevant research, ultimately enhancing the quality of care provided to residents. It will also promote continuous learning and professional development among programs and fosters an environment of innovation and improvement in the assisted living programs

In conclusion, requiring applicants for assisted living program licensure in Maryland to have a valid email address and internet access is a necessary step to ensure effective communication, timely notifications, streamlined documentation, access to online resources, and cost-effective operations. This requirement will promote efficient licensing processes, enhance the quality of care, and ultimately benefit residents, assisted living program owners, and the overall healthcare system in Maryland.

## SUMMARY

By implementing these initiatives, the state of Maryland can actively support Assisted Living Programs in their efforts to improve staff engagement, retention, and reduce turnover. This collaborative approach can help create a positive and supportive work environment in the industry, ultimately leading to enhanced care for residents and increased overall program success.