

EXECUTIVE SUMMARY

DE Nursing Home Resident Quality Assurance Commission



Joint Legislative Oversight
& Sunset Committee

History and Mission: In July 1999, Senate Bill 23 created the Delaware Nursing Home Residents Quality Assurance Commission (“DNHRQAC” or “Commission”), to monitor Delaware’s quality assurance system for nursing home and long-term care (“LTC”) residents so that responses to complaints of abuse, neglect, mistreatment, financial exploitation, and other matters are responded to in a timely and effective manner. The following was established and became part of the quality assurance system outlined in the Commission’s mission:

- Staffing ratios.
- Creation of the Division of Health Care Quality (“DHCQ”) within the Department of Health and Social Services (“DHSS”), responsible for enforcement of State and federal laws and regulations.
- Criminal Background Check Center and the Adult Abuse Registry.

Since its inception, the Commission has hosted open public meetings to address quality of care issues, identified gaps in service, acted as a forum for the public and other stakeholders to share information regarding nursing home and assisted living services, and issued an annual report of its findings. Additionally, the Commission receives updates from the appropriate state agencies and, if necessary, make necessary recommendations to the Governor and General Assembly as outlined in its [governing statute](#) and [bylaws](#).

Membership and Staff: As of September 2019, there are [12 members](#) of the Commission, consisting of legislators, resident of a nursing home or family member, employees of a long-term care facility, advocate for people with disabilities, and other organizational stakeholders. The Commission is 1 of 5 non-judicial agencies funded by the Judiciary’s budget. Each are managed by their own executive director. The Administrative Office of the Courts is responsible for the 5 non-judicial agencies’ financial and human resource matters, but the agencies function independently.

Challenges:

- Population Growth
- Public and Private Sector Turnover
- Funding and Staff

Opportunities for Improvement:

- Elder Caucus
- Membership challenges and new bylaws
- Outreach

2021 Updates: The Commission participated on the Pandemic Resurgence Advisory Committee and other working groups with LTC providers, Delaware hospitals, and other LTC medical professionals. Training and other educational opportunities available through several local and national organizations were attended. The Commission has been in regular contact with the State Health Operations Center, LTC Ombudsman’s Office, DHCQ, Office of Public Guardian, Division of Aging, and other stakeholders while continuing to hold quarterly meetings via Webex. For additional information, please refer to the [2020 DNHRQAC Report](#).

UPDATE REPORTING



Joint Legislative Oversight
& Sunset Committee

Due July 31, 2020 2020 Holdover Update

JULY UPDATE

Use this form to report all updates that have occurred from the submission of the performance review questionnaire on October 16, 2019 to present date.

Delaware Nursing Home Residents Quality Assurance Commission

July 27, 2020

Public meetings:

November 19, 2019 (in person)

January 21, 2020 (in person)

March 17, 2020 meeting was moved to March 31, 2020 due to JLOSC Hearing. March 31st DNHRQAC meeting was cancelled due to Emergency Orders. As a result, commission members received a newsletter that provided updates regarding COVID-19 pandemic. A copy of newsletter was forwarded to JLOSC also.

May 19, 2020 (virtual)

July 21, 2020 (virtual)

Members approved Nov 2019 – May 2020 meeting minutes during DNHRQAC Meeting of May 19, 2020. All final minutes were forwarded to JLOSC and appear on DNHRQAC webpage/State meeting calendar.

2018 -2019 DNHRQAC Annual Report was approved by commission members May 19, 2020. A copy of final report was forwarded to JLOSC and appears on DNHRQAC webpage.

Since March 11, 2020 State of Delaware Emergency Orders regarding COVID-19, the commission has been conducting business through virtual meetings and other remote resources. We have been participating on several taskforces with LTC providers, Delaware hospitals and LTC medical professionals, Pandemic Resurgence Advisory Committee, etc. There have been many educational opportunities available with DE Valley Chapter of Alzheimer's Assoc, Centers for Medicare & Medicaid Services, National Consumer Voice, American Society on Aging, Administration for Community Living, Elder Justice, Ageless Alliance, etc. The commission has been in contact with State Health Operations Center, Long Term Care Ombudsman's Office, Division of Health Care Quality, Office of Public Guardian, Division of Aging and other agencies/stakeholders during this unprecedented time.

As of today, more than 60% of Delaware deaths relating to COVID-19 have been residents of LTC and AL facilities.

UPDATE REPORTING

Due September 30, 2020 2020 Holdover Update



Joint Legislative Oversight
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SEPTEMBER UPDATE

Use this form to report all updates that have occurred between August and September 2020.

Delaware Nursing Home Residents Quality Assurance Commission

September 28, 2020

August 2020:

Attended Medical Director Calls with Delaware Health Care Facilities Assoc

Listened in to weekly Governor's Press Conferences

Joined bi-weekly Hospital Calls

Attended bi-weekly State Health Operations Center calls with LTC and AL facilities

Participated in FY 2022 Judicial Budget Retreat

Attended several CMS/CDC training sessions

Joined EasterSeals in their Virtual Annual Conference (5 days)

Participated in DHSS Rate Methodology Zoom

Attended multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Received calls from several family members, facility staff, etc

Reached out to State agencies and stakeholders

Provided feedback regarding LTC Reopening Plan & Support Person protocol

September 2020:

Attended Medical Director Calls with Delaware Health Care Facilities Assoc

Listened in to weekly Governor's Press Conferences

Joined bi-weekly Hospital Calls

Attended bi-weekly State Health Operations Center calls with LTC and AL facilities

Attended several CMS/CDC training sessions Attended multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Received calls from several family members, facility staff, etc

Reached out to State agencies and stakeholders

Provided feedback regarding LTC Reopening Plan & Support Person protocol

Attended Director of Nursing Workshop hosted by Div of Health Care Quality (4 days)

Joined several virtual summits, multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Participated in Judicial Town Hall Zoom session

Transcribed meeting minutes of September 15, 2020, updated DNHRQAC webpage and public meeting calendar

Provided additional and on-going feedback regarding LTC Reopening Plan & Support Person protocol

Hosted DNHRQAC Meeting of September 15, 2020 (virtually). Dr Pescatore, State Medical Director and Corinna Getchell, DHCQ Director, joined us

Began preparing for DNHRQAC Meeting of November 17, 2020

Connected with LTC Ombudsman, UD School of Nursing, CLASI, AARP and DE Valley Chpt Alz Assoc regarding Residents Rights month (October)

UPDATE REPORTING

Due December 11, 2020 2020 Holdover Update



Joint Legislative Oversight
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DECEMBER UPDATE

Use this form to report all updates that have occurred between October and December 2020.

Delaware Nursing Home Residents Quality Assurance Commission

Dec. 11, 2020

October 2020:

Listened to weekly Governor's Press Conferences

Joined bi-weekly Hospital Calls

Attended Virtual Dementia Symposium: Connecting the Community

Attended bi-weekly State Health Operations Center calls with LTC and AL facilities

Hosted Resident Rights Planning Session

Attended several CMS/CDC training sessions

Attended State Council for Persons with Disabilities Partnership Event

Zoom with Administrative Office of the Courts regarding COVID Funds, budget, etc

Attended multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Received calls from several family members, facility staff, etc

Reached out to multiple State agencies and stakeholders

Provided feedback regarding LTC Reopening Plan & Support Person protocol

Updated Public Meeting Calendar

Zoom with Department of Justice

Submitted Newspaper Commentary regarding Residents Rights

Met with DNHRQAC Chair and subcommittee regarding various subjects

November 2020:

Listened to weekly Governor's Press Conferences

Joined bi-weekly Hospital Calls

Attended bi-weekly State Health Operations Center calls with LTC and AL facilities

Attended several CMS/CDC training sessions Attended multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Received calls from several family members, facility staff, etc

Reached out to State agencies and stakeholders

Provided on-going feedback regarding LTC Reopening Plan & Support Person protocol

Joined several virtual summits, multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Participated in Judicial Town Hall Zoom session

Attended Regional Caregiver Symposium: Balancing Care Challenges

Attended DHSS FY 22 Public Budget Hearing

Attended FY 22 Judicial Public Budget Hearing

Joined COVID-19 Vaccine Distribution Committee – meetings are weekly

Provided additional and on-going feedback regarding LTC Reopening Plan & Support Person protocol

Hosted DNHRQAC Meeting of November 17, 2020 (virtually)

Transcribed meeting minutes, updated Public Meeting Calendar, updated DNHRQAC webpage, etc

Met with DNHRQAC Chair regarding various subjects

December 2020

Listened to weekly Governor's Press Conferences

Joined bi-weekly Hospital Calls

Attended bi-weekly State Health Operations Center calls with LTC and AL facilities

Attended several CMS/CDC training sessions Attended multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Received calls from several family members, facility staff, etc

Attended Senior Protection Initiative Quarterly Meeting

Attended Health Care Associated Infection Advisory Committee (HAIAC)

Reached out to multiple State agencies and stakeholders

Provided feedback regarding LTC Reopening Plan & Support Person protocol

Joined several virtual summits, multiple webinars & Facebook Live events (National Consumer Voice, Nat'l Learning & Action Network, Justice in Aging, etc)

Participated in Judicial Town Hall Zoom session

Participated in COVID-19 Vaccine Distribution Committee – meetings are weekly

Provided additional and on-going feedback regarding LTC Reopening Plan & Support Person protocol

Updated Public Meeting Calendar, updated DNHRQAC webpage, invited presenters to January 2021 DNHRQAC Meeting, etc

Met with DNHRQAC Chair regarding various subjects

Connected with Dept of Technology about finalizing COOP Plan

October 20, 2020

Dear Editor:

October is National Long-Term Care Residents' Rights Month, a time to acknowledge the contributions and sacrifices many long-term care (LTC) residents have made to better our community and to call attention to the rights of residents in long-term care facilities. The theme for Residents' Rights Month 2020 is - "Connections Matter" – to emphasize connections – to family, to friends, and to the community – as an essential component of good health and quality of life for residents. The months of restrictions on visitation in long-term care facilities and the inability of residents, families, and friends to be together during the coronavirus pandemic has emphasized the importance of connection, of relationships, and the impact they have on all of our well-being. During this crisis, many creative ways of staying connected were shared that can be replicated and built upon in all communities.

Residents' Rights Month is an opportunity to focus on and celebrate awareness of dignity, respect and the rights of each resident. The federal Nursing Home Reform Law guarantees residents' rights and places a strong emphasis on individual dignity, choice, and self-determination. The law also requires nursing homes to "promote and protect the rights of each resident". Residents' Rights Month is a time to raise awareness of these rights and celebrate residents.

Celebrate and acknowledge these rights by participating in Residents' Rights Month events and calling on your elected officials, community members and local facilities to show their support by attending or organizing activities.

This year, due to the COVID-19 pandemic, Resident's Rights Month Celebrations, Activities and Events are limited. In past years, the Governor has signed a Proclamation and a large event has been held. This year, no statewide event will be held. Individual facilities may be holding small, socially distanced activities for their residents.

During Residents' Rights Month, we recognize our local long-term care ombudsman program staff and volunteers, who work daily to promote residents' rights, assist residents with complaints and provide information to those who need to find a long-term care facility. In Delaware, the ombudsman program serves the entire State. Jill McCoy is Delaware's State Long Term Care Ombudsman. This program includes facility assigned, community-based and volunteer ombudsman that work on a variety of resident rights in Delaware nursing homes, assisted living facilities, group homes and the community. To contact Delaware's Ombudsman Program: 800.223.9074.

In addition, the Delaware Nursing Home Residents Quality Assurance Commission (DNHRQAC), is an advocacy group that monitors the quality assurance system in long term care and assisted living facilities as it relates to quality of care and quality of life for individuals that reside in the facilities. DNHRQAC can be reached at 302.824.2956.

As Delaware celebrates Residents' Rights, we encourage community members to connect with those they know who live in long-term care facilities, participate in Residents' Rights Month events, or inquire about becoming a volunteer long-term care ombudsman. Your assistance and attention help to ensure that the voices of long-term care residents do not go unheard and demonstrates to residents that they have not been forgotten.

Sincerely,

Lisa Furber, Chair & Margaret Bailey, Executive Director

Delaware Nursing Home Residents Quality Assurance Commission

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302.824.2956