SPONSOR: Rep. Mitchell & Sen. Mantzavinos &
Rep. Dorsey Walker
Reps. Briggs King, Carson, Freel, Gray, K. Johnson, Morrison, Osienski, Michael Smith, Yearick; Sens. Ennis, Lawson, Walsh

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 110

ESTABLISHING THE LONG-TERM CARE AND MEMORY CARE TASK FORCE.

WHEREAS, the number of Delawareans aged 60 and older is expected to surpass 300,000 and account for more than 29% of the population by 2030 according to the Delaware Population Consortium; and

WHEREAS, 8,238 patients were admitted to Delaware nursing homes in 2020 according to the Department of Health and Social Services; and

WHEREAS, the Alzheimer's Association estimates there are 19,000 Delawareans living with Alzheimer's disease in Delaware and anticipate this number will increase by 21% in the next three years; and

WHEREAS, the needs of residents in long-term care facilities have drastically changed in recent decades; and

WHERES, staffing ratios and other requirements for nursing facilities established under Eagles Law have not been updated in over twenty years; and

WHEREAS, Delaware Code does not set forth a minimum staffing requirement for assisted living facilities; and

WHEREAS, assisted living and nursing facilities have developed units to serve those with dementia care; and

WHEREAS, Delaware Code does not define dementia care or address the specialized care needed for individuals diagnosed with Dementia; and

WHEREAS, it is essential for Delaware to ensure protections for these vulnerable citizens living in long-term care facilities.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 151st General Assembly of the State of Delaware, the Senate concurring therein, that the Long-Term Care and Memory Care Task Force ("Task Force") is established to study and make findings and recommendations to best address the needs of residents in nursing facilities, intermediate care facilities for individuals with disabilities, assisted living facilities, and memory care units within these facilities.

BE IT FURTHER RESOLVED that the Task Force is comprised of the following members, or a designee selected by the member serving by virtue of position:

(1) A State Representative from the majority caucus, appointed by the Speaker of the House of Representatives, who serves as co-chair.

(2) A State Representative from the minority caucus, appointed by the Speaker of the House of Representatives.

(3) A State Senator from the majority caucus, appointed by the President Pro Tempore of the Senate, who serves as co-chair.

(4) A State Senator from the minority caucus, appointed by the President Pro Tempore of the Senate.

(5) The Secretary of the Department of Health and Social Services.

(6) The Director of the Division of Services for Aging and Adults with Physical Disabilities, Department of Health and Social Services.

(7) The Director of the Division of Health Care Quality, Department of Health and Social Services.

(8) The Director of the Division of Medicaid and Medical Assistance, Department of Health and Social Services.

(9) The Director of the State Council for Persons with Disabilities.

(10) The President of LeadingAge New Jersey & Delaware.

(11) The President of the Delaware Healthcare Association.

(12) The President of the Delaware Health Care Facilities Association.

(13) State Director of AARP Delaware.

(14) The Executive Director of the Alzheimer's Association Delaware Valley Chapter.

(15) The Chair of the Delaware Nursing Home Residents Quality Assurance Commission.

(16) Three members of the public, appointed by the Governor, representing the following categories: an adult social service provider; a registered nurse; a family member or primary caretaker of an individual living in a long-term care setting; Public appointees should include individuals from diverse backgrounds, and efforts should be made to appoint representatives from all three counties.

BE IT FURTHER RESOLVED that the Task Force shall do all of the following:

(1) Review how long-term care facilities meet minimum staffing ratios.

(2) Review and propose options to address the staffing needs and ratios of nursing facilities, intermediate care facilities for individuals with disabilities, assisted living facilities, and memory care units within these facilities.

(3) Review and propose options to address activity staffing needs of nursing facilities, intermediate care facilities for individuals with disabilities, assisted living facilities, and memory care units within these facilities.

(4) Develop additional requirements to properly provide care for individuals diagnosed Alzheimer's Disease and other dementias.

(5) Complete a final report with recommendations on policies and implementation strategies to the General Assembly by May 31, 2023

BE IT FURTHER RESOLVED that the Co-Chairs have the authority to review additional policies in advance of the report.

BE IT FURTHER RESOLVED that a quorum of the Task Force is a majority of the Task Force's members.

BE IT FURTHER RESOLVED that:

(1) Official action by the Task Force, including making findings and recommendations, requires the approval of a quorum of the Task Force.

(2) The Task Force may adopt rules necessary for its operation. If the Task Force does not adopt rules or if the adopted rules do not govern a given situation, *Mason's Manual of Legislative Procedure* governs.

(3) The co-chairs of the Task Force may invite individuals with relevant expertise to participate in Task Force discussions.

(4) A member of the Task Force with the ability to designate another individual to attend a Task Force meeting must provide the designation in writing to the co-chairs. An individual attending a meeting for a member as a designee has the same duties and rights as the member.

BE IT FURTHER RESOLVED that the co-chairs of the Task Force are responsible for guiding the administration of the Task Force by doing, at a minimum, all of the following:

(1) Setting a date, time, and place for the initial organizational meeting.

(2) Supervising the preparation and distribution of meeting notices, agendas, minutes, correspondence, and reports of the Task Force.

(3) Providing meeting notices, agendas, and minutes to the Director of the Division of Research of Legislative Council.

(4) Ensuring that the final report of the Task Force is submitted to the President Pro Tempore of the Senate and the Speaker of the House of Representatives, with copies to all members of the General Assembly, the Governor, the Director and the Librarian of the Division of Research of Legislative Council, and the Delaware Public Archives.

BE IT FURTHER RESOLVED that the General Assembly is responsible for providing reasonable and necessary support staff, including a legislative attorney, and materials for the Task Force to carry out its mission.

BE IT FURTHER RESOLVED that the co-chairs of the Task Force must compile a final report containing a summary of the Task Force's work regarding the issues assigned to it under this Concurrent Resolution, including any findings and recommendations, and submit the final report no later than May 31, 2023.

SYNOPSIS

This concurrent resolution establishes the Long-Term Care and Memory Care Task Force.