

**Pennsylvania  
Adult Day Services  
Association**



*Promoting Quality Adult Day Services in Pennsylvania*

Statement of the Pennsylvania Adult Day Services Association

In front of the

Senate Aging & Youth Committee

September 7, 2011

Public Hearing: "Long Term Care in Pennsylvania"

Presented by

Heather Sedlacko

Board Member

Pennsylvania Adult Day Services Association

Chairlady Ward and Honorable Members of the Committee, thank you for the opportunity to speak with you today about the critical role of Adult Day Services (ADS) in long term care in Pennsylvania. My name is Heather Sedlacko. I am here today representing adult day centers around the Commonwealth in my role as a Board Member of the Pennsylvania Adult Day Services Association (PADSA). My daily work is that of Executive Director of Valley Care Association, a non-profit agency that has provided adult day services to residents of Beaver and Allegheny counties for nearly 30 years.

There may be people in this room today who have not heard of adult day services or those who think of ADS as a service that is "nice" but not *critical* to helping older adults, and individuals under age 60 with disabilities, to remain living in their homes and communities. My purpose in speaking to this committee is to emphasize how ADS is a family life-line for an individual who is teetering on the brink of nursing home placement.

Adult Day Services offers a center-based support system to elders and other adults under age 60 with disabilities who are not capable of full-time independent living to help them live at home. There are over 260 ADS centers in Pennsylvania serving approximately 11,300 Pennsylvanians. Daily supports include coordinated medical care, personal care (bathing assistance and incontinence care), nutrition, and therapeutic recreation. Some centers offer additional therapies, including physical, occupational, speech, music and art, podiatry, optometry, salon services by a beautician/barber and caregiver support. With this comprehensive service package, ADS is a true alternative to nursing home placement at 40% of the cost.

To make this point more concrete, here is a real life example of how Valley Care Adult Day Services, just a few miles from here, helped a local family. A man caring for his mother with dementia showed up at our adult

day program for a tour without an appointment. As the site manager was showing him around, he broke down in tears and revealed that the stress of caring for his mother was tearing his marriage apart and he did not know where to turn. After some discussion and a lot of listening, the site manager was able to connect him with the local Area Agency on Aging, right there in her office, to begin the assessment process. Simultaneously, the adult day site manager began the paperwork for the mother to attend the program and faxed the required forms to the mother's physician. By the time the son left that afternoon, he had support and a plan for getting his mother help. He no longer felt alone. He was exceedingly grateful for the assistance and kindness of the staff in helping to provide a safe day time environment for his mother and later said that ADS saved his marriage and his sanity.

Every adult day program across the Commonwealth has many success stories to share. ADS centers work to keep people at home. As effective as current programs are, they could be even more effective in preventing more expensive premature nursing home placement if long-standing systemic and policy challenges could be alleviated. Today I will focus on three main areas of concern: (1) Online posting of inspection results; (2) Access to service during a crisis; and (3) Payment for services for middle and low income Pennsylvanians.

### Online Posting of Inspection Results

PADSA supports high quality adult day services and the provision of accurate information to consumers and their families that will allow them to make the best decisions possible about their care. We do not feel that the current method being used to provide the public with information about individual adult day centers meets this goal. It concerns PADSA that inspection citations posted on the Department of Aging website uses language that includes entire sections of regulations, when only one portion

may be related to a program's error. (See the addendum to this statement for a specific example.) This situation is not fair to the consumer who does not understand what he or she is looking at and it is not fair to the provider who appears to be riddled with mistakes when there was just one or two errors. It creates the image of excessive violations and is a strong deterrent for Pennsylvania's consumers to utilize adult day programs as critical and cost-effective supports to help people avoid placement in a nursing home.

(PADSA is also concerned about what appears to be a lack of uniform inspection enforcement across different regions of the state and the lack of any procedure to appeal a citation. Department of Aging Secretary Brian Duke has scheduled a meeting with us on October 20<sup>th</sup> to address these issues.)

#### Access to Service During a Crisis

It is no surprise that many people have not planned for long term care, but rather seek help when they find themselves in crisis. Currently, at the immediate moment it is determined that an individual no longer can live safely alone, they have few options. They are "entitled" to enter a nursing home, but they do not enjoy an immediate alternative choice to receive less expensive critical care services if they want to remain at home. Now, when government is seeking to more effectively manage spending on long term care, and 86% of older adults would prefer to remain living in their own homes, is the time to make a change.

Authorization for adult day services is based upon both clinical and financial need. Pennsylvania's long term care system must come to an agreement—both government and service providers—about how to manage the financial risk of accepting an individual's self-declaration of assets to allow initial services to begin while the details are being verified by the local County Assistance Office. Until that is done, individuals in crisis will continue

to be placed initially in more expensive nursing homes for at least thirty days, where statistics demonstrate they are likely to remain.

Pennsylvania has experimented with streamlining eligibility to provide individuals with immediate home and community based care in a crisis. Community Choice was piloted in 2003 and produced great success with quick access to services for the most needy (often within 24 hours) with very little erroneous self-reporting of assets. However, we still do not have a uniform and quick way statewide to give people access to home and community based services at the moment they need them, thereby forcing individuals into the most expensive long term care – nursing homes.

#### Payment for Services for Middle and Low Income Pennsylvanians

Consumers pay for adult day services in a variety of ways. For middle and low income seniors there are two sources of government assisted funding: Medical Assistance (using both federal and state monies); and, PA Lottery dollars fund a similar program known as Options. We appreciate the support ADS providers received from the Office of Long Term Living and the Departments of Aging and Public Welfare with the introduction of “enhanced” MA waiver services in 2010. This action gave many ADS programs the boost in rate reimbursement they needed to make it financially feasible to offer the comprehensive service package I previously described.

The lottery funded Options program serves middle and low income older adults and contains a cost-sharing formula so that for many consumers government is not subsidizing care at 100% -- an important point during these very difficult economic times.

As a reading of the history of the PA Lottery verifies, the intent of lottery funds was to help keep Pennsylvania’s older adults at home with community based services, but the Options program has not seen an

increase in 10 years, despite the fact that over \$100 million of lottery funds are routinely held as an un-appropriated reserve each year. At present, a typical participant in the Options program is allocated just over \$700 per month for all of his or her community based service needs. That is not enough to provide the ongoing preventive and maintenance supports needed to allow an individual to avoid nursing home placement.

With sufficient lottery funds appropriated to the Options program, ADS can provide the critical chronic care services for individuals to remain in their homes and community at 40% of the cost of nursing homes.

In conclusion, PADSA believes firmly that a range of services should be available to Pennsylvania's older adults and adults under 60 with disabilities to allow them the opportunity to choose where they spend their days. There is an appropriate place for all the providers in the continuum of long term care, from senior centers to skilled nursing homes. Within this continuum, Adult Day Services is a vital lifeline connecting a person who is losing his or her independence to their community. We already have this role for some individuals, but with government's help to reduce some of the existing barriers, adult day services can provide cost effective critical chronic care for the well-being of consumers, their families, and Pennsylvania's budget.

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Attachments: Example of Internet Posting

PADSA / ADS Fact Sheet



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE  
DEPARTMENT OF AGING  
**OFFICE OF LONG TERM LIVING**  
FORUM PLACE  
555 WALNUT STREET, FLOOR 5  
HARRISBURG, PENNSYLVANIA 17101-1925

PROVIDER SUPPORT

(717) 772-2570

February 11, 2011

Marianne Lavella, Director  
Senior Care of Broomall  
1991 South Sproul Road, Suite 850  
Broomall, PA 19008

RE: Senior Care of Broomall  
License # 304680 - Regular

Dear Ms. Lavella:

As a result of the Office of Long Term Living's licensing inspection of the above named facility on 12/08/2010, four (4) areas of non-compliance were identified. Your Plan of Correction has been approved and a copy of the signed Licensing Inspection Summary is enclosed.

Your facility has been issued a Regular License. This license states that your facility is in substantial compliance with 6 PA Code Chapter 11.

During the next on-site inspection, the Licensing Representative will review the previous areas of non-compliance to ensure that the Plan of Correction was implemented accordingly. Repeated areas of non-compliance may result in a Provisional License.

Thank you for your continued support toward providing quality Older Adult Daily Living Services to persons in your community. If you have any questions, please contact my staff, Winter Roberts, Section Chief, Division of Licensing at (717) 772-2538.

Sincerely,

Bonnie L. Rose  
Director

Enclosures

**Attachment 1: Example of Internet Posting**

This addendum was printed directly from the PA Department of Aging online database of Licensing Inspection Summaries available to consumers. This example demonstrates PADSA's concern that an entire regulation is listed, implying multiple infractions instead of only the specific ones (see pages three (3) and six (6) following for details).

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF AGING

# LICENSE

This license is hereby granted to SENIOR CARE CENTERS OF PA

LEGAL ENTITY

To operate SENIOR CARE OF BROOMALL

(NAME OF CENTER)

Located at 1991 SOUTH SPROUL ROAD, SUITE 850 BROOMALL, PA 19008

(COMPLETE ADDRESS OF CENTER)

To provide older adult daily living services.

The total number of persons which may be served at one time may not exceed 56

(MAXIMUM CAPACITY)

Restrictions: \_\_\_\_\_

This license is granted in accordance with the Act of July 11, 1990 (P.L. 499, No. 118) and Regulations.

TITLE 6, PA CODE. CHAP. 11. OLDER ADULT DAILY LIVING CENTER

(NUMBER AND TITLE OF REGULATIONS)


Dated July 03, 1993

and shall remain in effect from March 01, 2011

until February 29, 2012

unless sooner revoked for non-compliance with applicable laws and regulations.

No 304680 - Regular

  
ISSUING OFFICER

NOTE: This license is issued for the above address only and is not transferable. This license should be posted in a conspicuous place in the center

Issued On: February 11, 2011

AGL01



DEPARTMENT OF AGING

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER LICENSE NUMBER  304680	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED  12/08/2010
NAME OF PROVIDER OR SUPPLIER  Senior Care of Broomall		STREET ADDRESS, CITY, STATE, ZIP CODE 1991 SOUTH SPROUL ROAD, SUITE 850 BROOMALL, PA 19008		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
1 000	<b>Initial Comments</b>  A State licensure visit was completed on December 8, 2010 and it was determined that Senior Care of Broomall was not in compliance with the following requirements of 6 PA Code, Chapter 11, Older Adult Daily Living Centers regulations:	1 000	<b>Plan of Correction is Required</b>	
* 1 580	<b>11.33(a) Program staff orientation and training</b>  Providers shall, using center staff persons, outside resources, or both, provide program staff persons with the following:  (1) A general orientation in the following areas, within 3 months of employment.  (i) The purpose and goals of older adult daily living services.  (ii) The roles and responsibilities of staff members.  (iii) Positive approach methods to manage behavior.  (iv) Health and safety precautions, including infection control.  (v) Information on fire and safety measures/codes.  (vi) The philosophy of the program and, if applicable, the parent organization.	1 580		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

Marianne Lavella

*Marianne Lavella*

TITLE

Administrator

(X6) DATE

1/6/2011

DEPARTMENT OF AGING APPROVAL

*Wagner*

*Section Chief 2/10/11*

ATC6899

NBNE11

If continuation sheet 1 of 5

DEPARTMENT OF AGING

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1 580	Continued From page 1 (vii) Confidentiality.  (viii) Interdisciplinary team approach.  (ix) Client rights.  (x) The population served.  (xi) The center's policies and regulations.  (xii) Communication skills.  (xiii) The center's emergency procedures.  (2) Training in the following areas, within 3 months of employment and annually thereafter regarding:  (i) The needs of the clients in the center's target population.  (ii) Body mechanics/transfer techniques.  (iii) Voluntary reporting laws regarding abuse, neglect and exploitation.  (iv) Positive approach methods to manage behavior.  (3) In addition to the general orientation and annual training required in subsection (a)(1) and (2), at least two training sessions, totaling at least 8 hours of training, per year to enhance quality of care and job performance.  This STANDARD is not met as evidenced by:	1 580		

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1 960	<p><b>Findings:</b> Based on a review of staff training records and an interview with the center director, the center could not provide documentation to show compliance with annual training requirements. The center provided the most recent annual trainings but did not have documentation showing when the training was provided the previous year.</p> <p><b>11.58(a) Surfaces</b></p> <p>Floors, walls, ceilings and other surfaces shall be in good repair.</p> <p>This STANDARD is not met as evidenced by:</p>	1 960	<p>Complete records of annual training from the prior owner could not be located. Senior Care completed annual Training on 10/22/10 and this will be completed annually thereafter in accordance with the attached in-service training schedule. <b>Ongoing</b></p>	
11130	<p><b>Findings:</b> Based on a direct observation, several walls throughout the center had chipped and peeling paint.</p> <p><b>11.67(a) Furniture and equipment</b></p> <p>Furniture shall be non-hazardous, clean and sturdy. Chairs with arms shall be available for clients who need them.</p> <p>This STANDARD is not met as evidenced by:</p>	11130	<p>The RFA that was recently submitted To the State was approved and included renovation, painting and wallpapering of the center. This work will begin shortly and is expected to be completed In the next several months. <b>June 30, 2011</b></p> <p>Chairs and recliners in the Emerald program room were all professionally cleaned on Jan 6 and 7, 2011. Before and after photos are attached.</p>	
	<p><b>Findings:</b> Based on a direct observation, several pieces of furniture were found with soiled fabric and</p>			

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11130	Continued From page 3 therefore need to be cleaned or replaced.	11130		
★ 11873	<p><b>11.123(2) Core Services - Nursing Services</b></p> <p>The following essential, core services shall be offered or arranged in center programs: personal care, nursing, social services, therapeutic activities, nutrition and emergency care. The intensity of the services shall be modified to meet the functional needs of the clients. It is anticipated that the services will be on a continuum to meet the range of client needs, with appropriate staff persons to supply or arrange these services. Each essential core service shall be addressed during the care planning process. The center shall provide and maintain the essential space, materials and equipment necessary to provide these services and to protect the privacy of the clients receiving the services. Core services are as follows:</p> <p>(2) Nursing services. The center shall provide, contract for or other-wise arrange for nursing services. The number of services provided by the nurse, the manner in which a center obtains nursing services (which may range from formal to informal), and the amount of time spent by the nurse in a center (which may, for example, range from the daily services of a registered nurse staff person to a monthly or quarterly visit by a practical nurse) depend upon the needs of the center's clients. Nursing service includes the following:</p> <p>(i) Centers shall carry out the following standard nursing functions at least quarterly:</p> <p>(A) A review of the client's health status, including dietary needs.</p> <p>(B) Review of medication procedures, if necessary.</p>	11873		