NCAL’s Second Quarter 2010 Accomplishments

This quarterly report is designed to provide NCAL state affiliates and their membership with an overview of NCAL’s work on behalf of the assisted living profession. This at-a-glance, quarterly report highlights most of NCAL’s recent activities. During second quarter 2010, NCAL finished the data collection phase of two surveys under NCAL’s Performance Measurement Initiative, and analyzed sections of the Patient Protection and Affordable Care Act—the newly enacted health care reform law—that impact assisted living. Questions regarding any of the initiatives outlined in this report may be directed to NCAL staff, whose contact information is listed on the last page of the report.

Advocacy/Policy

- NCAL and its members vigorously lobbied Congress to extend enhanced Medicaid funding to help states weather the ongoing financial crisis. During AHCA/NCAL’s annual Congressional Briefing in June, NCAL members also asked members of Congress to urge the U.S. Secretary of Health and Human Services to implement Sec. 3309 of the Affordable Care Act as soon as possible (January 2012). Sec. 3309 will eliminate Medicare Part D cost sharing for dual eligible assisted living residents—those covered by both Medicaid and Medicare—in states using Medicaid waivers.

- Working with its coalition partners, NCAL developed language for legislation that will be introduced to eliminate Medicare Part D cost sharing for states not covered by Sec. 3309 of the Patient Protection and Affordable Care Act. Sec. 3309 of the health reform legislation eliminates cost sharing for dual eligibles receiving home- and community-based services in states using Medicaid waivers, but not in those states covering these services directly under their Medicaid state plan.
At its June 2010 meeting in Portland, Ore., the NCAL Board approved a revised document entitled “Minimum Standards for State Assisted Living Regulation.” With the help of a work group comprised of state affiliate staff, NCAL developed the document to provide guidance to its members about licensure, consumer protections, and other standards for state regulation. On a strategic level, the stronger and more consistent that state assisted living regulations are, the less likely that a drive for federal regulation will materialize. NCAL supports regulation of the assisted living profession at the state level and a regulatory approach that focuses on resident-centered care.

NCAL publicized the 2010 edition of its Assisted Living State Regulatory Review and an accompanying analysis of state assisted living regulatory and policy trends. NCAL staff discussed the findings during several public presentations. The report tracks the extent and evolution of state assisted living regulation and provides key information for policymakers, consumers, providers, researchers, and other stakeholder groups. It is the only report of its kind produced annually.

As pressure continued mounting on state budgets, NCAL continued working to improve Medicaid payment and coverage for assisted living services. Karl Polzer as co-chair of the Center for Excellence in Assisted Living’s Affordability Committee developed an agenda outlining options for policy research and development projects designed to lay the groundwork for improving payment for Medicaid services and room and board for low-income populations in assisted living settings. NCAL continued working to protect the ability of assisting living providers to participate in the Medicaid program as CMS is considering defining what may qualify as a Medicaid home and community-based setting for the first time.

At the request of AHCA/NCAL leadership, NCAL staff analyzed the potential financial impact of the coverage expansion provisions of the recently enacted national health reform legislation on assisted living and nursing facility providers. The analysis, published on AHCA/NCAL’s health reform website, found that significant financial impacts are possible when the legislation’s main provisions take effect in 2014, especially for firms relying on government reimbursement, firms not offering coverage now, firms offering coverage to lower-wage workers that falls below minimum cost-sharing levels, and in those firms where a low percentage of employees currently take up coverage.

AHCA/NCAL continued lobbying vigorously to oppose legislation that would ban the enforceability of pre-dispute arbitration agreements between consumers and long term care providers, including assisted living communities.

NCAL is working with the National Center for Health Statistics (NCHS) on the National Survey of Residential Care Facilities. NCHS is collecting data in order to develop a national picture of assisted living and residential care communities, the characteristics of the people who live in these communities, and the range of services provided to the residents. NCAL and other national assisted groups have been urging their members to complete the surveys if contacted, and recently met with the researchers to discuss topics to be covered in the federal agencies’ summary of the findings.
• NCAL continued working with the U.S. Census Bureau to educate members about procedures for counting individuals in assisted living for the 2010 Census. These census procedures were published in NCAL’s publications, \textit{NCAL Connections} and \textit{NCAL Focus} as well as on its website NCAL.org.

\textbf{Quality}

• NCAL’s Quality Committee completed the training tool titled, “Better Serving Gay, Lesbian, Bisexual and Transgender Populations in Assisted Living.” NCAL’s Board of Directors approved the PowerPoint tool at the June Board Meeting in Portland, Ore. The PowerPoint was distributed NCAL’s leadership, state affiliates and posted on NCAL’s website as a “members-only” training tool.

• NCAL’s Quality Committee began work on the development of the Tier II performance measures.

• NCAL staff promoted NCAL’s Advocating Care Excellence program by making a presentation at an assisted living meeting of the Delaware Health Care Facilities Association.

• The data collection phase for NCAL’s Performance Measure Survey was closed. AHCA/NCAL’s research staff is analyzing the data for a report that will be released at NCAL Day and the AHCA/NCAL Convention in October.

• NCAL members using My InnerView resources rose to 711. The goal is 800 for 2010.

• Dave Kyllo, NCAL’s executive director, was appointed to the Quality Performance Indicator Task Force of the Long Term Quality Alliance.

\textbf{Workforce}

• NCAL closed the data collection phase of the Vacancy, Retention, and Turnover Survey (VRT) and began the analysis phase which is being completed by the AHCA/NCAL research staff. The VRT is the second survey under NCAL’s Performance Measurement Initiative. A report is being prepared for release at NCAL Day and the AHCA/NCAL Convention in October.

• NCAL collected nominations for the four NCAL Awards, including one new award created for assisted living nurses. The judging process has begun.

• NCAL staff attended and sponsored the National Association of Health Care Assistants annual convention in Oklahoma City.
• AHCA/NCAL is contributing to the development of the U.S. Department of Labor-Employment Training Administration competency model initiative which will establish models for a wide array of functions including communicating the profession’s workforce knowledge and skill requirements more articulately; workforce planning and labor analysis; apprenticeships; human resources services; curriculum evaluation, planning, and development; certification, licensure, and assessment development; and others.

Membership

• As of July 6, 2010, NCAL membership grew from 121,167 member beds to 124,051 member beds year to date. This is a 2,884 bed increase (2.4 percent.) NCAL’s goal is to reach 130,000 beds by the end of the year (8,833 bed increase total). To date, we have reached 33 percent of our goal.

• The 2010 National Assisted Living Week® Planning Guide and Product Catalog was designed, printed, and mailed. Nearly 9,000 copies were sent out with a good initial response. The guide is also available for download on www.nalw.org. For information on National Assisted Living Week® and to view the logo, visit www.nalw.org.

• In April, May, and June, NCAL staff presented at state affiliate conferences in Arkansas, Iowa, Nebraska, New Jersey, Oklahoma, Texas, and Tennessee. Topics included “National Update”, “Turning Complaints Into Compliments”, and “The Power of Ethical Marketing.”

• NCAL recently earned 2010 National Mature Media Awards for two of its member publications. The National Mature Media Awards program is administered by the Mature Market Research Center, a clearinghouse for senior marketing that recognizes the nation’s best in advertising, marketing, and educational materials designed for seniors. NCAL’s 2009 National Assisted Living Week “Traditions of the Heart” planning and product guide received a Bronze Award in the Special Event (Marketing Communications) category. In addition, NCAL’s brochure titled, “Practices In Excellence: Preparing Residents for Moving Out of Assisted Living Residences” received a Merit recognition in the Miscellaneous Editorial category.

Customer Relations

• NCAL hosted a Webinar in April titled, “Minimizing the Legal Risks of Social Technology in Assisted Living.” Brian Purtell, Wisconsin Center for Assisted Living’s executive director, and an attorney, explained the legal risks of not implementing an employee policy that guides employees’ use of social media and technology during and after work hours. Participants were provided sample templates of policies and tips on how to protect the privacy of residents and fellow employees. This Webinar is available for replay.

• The PowerPoint inservice tool titled, “Preparing Residents to Move Out: Employee Training” was completed and posted on NCAL’s website. The tool was promoted in NCAL publications and is based on the “Preparing Residents to Move Out” brochure, which recently won a national Mature Media Award.
• NCAL entered social media with a Facebook page for National Assisted Living Week. The site enables activity directors and administrators can exchange ideas and also promote the posting of photographs that portray assisted living in a positive light.

• NCAL Customer Relations Committee is exploring the possibility of creating a document that will help members deal with problems arising from the operations of motorized wheelchairs or scooters in assisted living communities.

• NCAL is actively involved in Phase II of the Agency for Healthcare Research and Quality’s Assisted Living Disclosure Collaborative. Many NCAL members have participated in the review of the provider survey. NCAL is grateful for their willingness to participate and extends a special thanks to these members for their contributions to this effort.

**Governance**

• The first NCAL Briefing was held during the AHCA/NCAL Congressional Briefing in June. Attendees indicated they wanted a similar session in 2011.

• The 2010-2011 election for the NCAL Board of Directors was opened. Candidates submitted the required materials for the Board positions, with the election taking place at AHCA/NCAL’s annual conference in Long Beach, Calif. in October. There are the three NCAL Officer positions—Chair, Vice Chair, and Secretary/Treasurer, and seven at-large Board of Directors positions.

• The NCAL Board of Directors adopted new mission and vision statements at the Board Meeting in Portland, Ore., in June.

  o Mission Statement: NCAL’s mission is to lead the assisted living profession through public policy advocacy, knowledge, education and professional development.

  o Vision Statement: NCAL is dedicated to promoting high quality, principle-driven assisted living care and services with a steadfast commitment to excellence, innovation and the advancement of person-centered care.

• The curriculum for NCAL Day and the Assisted Living track at annual convention was finalized.

• Staff developed and organized a two-day NCAL State Leader training program that focused on advocacy and leadership skills.
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