

California Department of Social Services
Community Care Licensing Division
Administrator Certification Advisory Committee Meeting Minutes
October 14, 2014
Meeting One

Committee members present in-person:

Fronde Hausey - vendor
Eric Dowdy – provider association
Mark Cimino – provider/administrator
Jane Van-Dyke Perez - vendor
Shicara Shaw - vendor
Denise Johnson – provider association
Joann Peterson – provider/administrator
Tina Barringer – provider/administrator
Roberta Kanter – provider/administrator

Committee members present via conference call:

Josh Allen - vendor
Milagros Buenviajes - vendor
Molly Valera – provider/administrator
Jody Speigel – Resident Advocacy
Maria Morris - administrator
Heather Harrison – Provider Association
Maria Castrilla - vendor
Estrella Manio - vendor
Hester Kliensteker – Department of Aging
Joe Rodrigues – Department of Aging

Department Staff:

Brett Tillett
Robert Bayles
Traci Waters
Trish Nishio
Bettye Griffin
Anastasia Fotis
Jennifer Encalade
Cathy Ballantine
Sara Dodge
Esmeralda Rivas

Call to order

Robert Bayles, (Robert) Manager of the Administrator Certification Section (ACS), called the ACS Advisory Committee (ACSAC) to order at 10:10 a.m. The meeting was held in Office Building 9, Room 203, Department of Social Services at 744 P Street, Sacramento, CA. Esmeralda Rivas, ACS Vendor Analyst, recorded the meeting minutes.

Robert called the group's attention to 1) the PowerPoint slide presentation on ACS; 2) the roles and responsibilities of the ACSAC; and 3) the agenda for the meeting. Robert informed the group of the purpose of the advisory committee, which is to strengthen ACS relationships with vendors, administrators, and stakeholders, as well as identify strengths, weaknesses, opportunities, threats, and trends impacting the field of community care. Robert added that he also envisioned the committee as a channel for sharing vendor training best practices and innovative ideas. An introductions by all the attendees followed. Everyone who attended the meeting via conference call introduced him/herself as well.

Following introductions, Robert discussed some rules of engagement for the meeting. Members were reminded that the goal of the meeting is collaboration and communication among participants with varying interests and experiences. He stated that mutual respect and professionalism are expected and asked that members refrain from talking over one another. Robert informed the group that meeting minutes would be recorded and instructed the members to take a break any time they felt they needed to do so.

Robert advised the group of where ACS is headed and the role of the advisory committee in ACS's strategy. Robert provided an overview of Senate Bill 911 and Assembly Bill 1570 and the implementation of the new legislation. Robert stated that the primary focus of today's meeting would be the review of the Residential Care Facility for the Elderly (RCFE) Core of Knowledge (COK) Guidelines. Robert stated that, with the exception of the addition of the Lesbian/Gay/Bi-sexual/Transgender (LGBT) training to the COK, the document had not been reviewed and updated in many years. He added that the COK is the foundation for the development of administrators' Initial Certification and Training Programs (ICTP) and should be revised to ensure inclusion of all applicable regulations, reflective of current trends, requirements, laws, and typical areas of non-compliance.

Robert stated that ACS's vision is to transition the COK from a guideline to that of a standard, after which all ICTPs will be developed.

A few committee members commented that they had always thought the COK was a requirement, and have patterned their training programs to ensure inclusion of all elements included in the COK. Robert explained that the major topical headings at the top of each column represent mandatory topics/subject areas with the corresponding

number of hours that must be taught in each column. However, a vendor is not required to include each and every topic under the column headings, as long as at least one topic within the column is included and for the requisite number of hours required by the COK. Robert stated that it has led to inconsistencies in the ICTP from one vendor to another, as well as varying ranges of experiences by those training to become administrators. Robert stated that the goal and focus of the meeting was to review all competencies/subject areas within the COK and determine whether they needed additional explanation, whether they fit more appropriately under a different column/core area, whether they could be removed with no adverse results, and whether new topics/core areas needed to be added to the COK and eventually the ICTP.

The members were in favor of creating a standard versus a guideline, to ensure consistency with ICTPs, regardless of vendors. The meeting began by discussing COK competencies.

Discussion Items

Jody Speigel, of California Advocates for Nursing Home Reform (CANHR), asked if ACS has thought about which topics will be required to be taught in class and which topics can be taught online. Robert answered by stating that ACS has not addressed this issue yet. He added that the first priority is to identify a list of core competencies that will comprise the COK. From there, we can discuss which subject areas may better apply to online versus in-person modality.

Josh Allen, of Care and Compliance, raised an issue of concern with regards to ACS requiring certain topics to be taught in class only. Josh stated that Care and Compliance currently offers a blended program in Texas and Florida, and that he believes you can cover most topics of continuing education in class and/or online. Maria Morris, of JMPM, agreed with Josh, and offered the example that “Physical Care” can be taught hands-on in class and other topics of “Physical Care” can be taught online.

Maria Castrilla asked whether the hours for each topic in the Core of Knowledge are set in stone, because she believes certain topics need more time than others. Robert stated that the hours for each competency area, or column, will be determined last, after the committee agrees on the subject matter.

Milagros Tinio-Buenviaje raised an issue of concern that 80 hours for the Initial Certification Training Program (ICTP) is a lot of hours for instructors. Milagros asked if all of the 80 hours will be live. Brett Tillet, Senior Staff Counsel, answered by stating that 60 of the 80 hours shall be live and the other 20 are currently undecided.

Maria Morris, of JMPM, made a motion that *conservatorship* should fall under “Residents’ Rights.” Jane Van-Dyke Perez, of Assisted Living Education, seconded the motion. Molly Valera stated the concern that *conservatorship* is a legal status and that it should stay under “Law and Regulations”, but that it should also be added to “Residents’ Rights”. *Conservatorship* was also added to “Residents’ Rights.”

Milagros Tinio-Buenviaje asked if *personal rights* under “Law and Regulations”, is different from *Staff Training to Ensure Residents’ Rights* under “Residents’ Rights.” Cathy Ballantine, Senior Care Policy Analyst, stated that Assembly Bill 2171 added statutory *personal rights* and that it does belong under “Law and Regulations”.

Mark Cimino stated that *Cal-OSHA* should be moved from “Management/Supervision of Staff” to “Law and Regulations”. Robert asked if the committee concurred with this-they did not. *Cal –OSHA* was left under “Management/Supervision of Staff”.

Jody Speigel asked if Community Care Licensing (CCL) will be either publishing something in regards to the new laws and/or if CCL will be providing training on the new laws. Heather Harrison, of CALA, and Shicara Shaw, of Careology, raised the same question. Shicara Shaw made the suggestion to have CCL develop condensed versions of the new laws to make it easier for vendors/instructors and/or administrators to keep track of all of the new requirements. Jane Van-Dyke Perez suggested that vendors/instructors show participants how to navigate the state’s website so that each individual will know where to find *laws and regulations* in order to be current with the new laws. Robert agreed that this was a great idea and suggested that all ICTPs include some training on navigating the ACS Website.

Denise Johnson suggested adding *R3.1* to “State Fire Code Regulations”. The group agreed and *R3.1* was added under “State Fire Code Regulations.” Molly Valera suggested compiling a list of fire regulations for administrators to be familiar with.

Jane Van-Dyke Perez, of Assisted Living Education, made a motion that *licensing procedures* should be added to “Law and Regulations”. The group agreed and the motion passed.

Robert noted that a new topic/competency area/column was created by legislation- Physical Environment. Robert removed *physical plant* from “Law and Regulations” and placed it under “Physical Environment.” Members agreed with this.

Mark Cimino suggested removing *funding sources* and *marketing a facility* from “Business Operations”. Mark further stated that *funding sources* and *marketing a facility* make for good continuation courses and/or should be covered through the online orientation. Shicara Shaw agreed with Mark.

Frondeuse, of Willie Hausey Training Institute, explained that not everyone that wants to become an administrator is educated. Frond further stated that most people interested in caring for the elderly would like to open their own 6-bed facility and that she doesn’t believe *funding sources* and *marketing a facility* should be completely ruled out.

Mark Cimino stated that if CCL wants administrators to be trained on *fundraising*, licensing should provide the training through the online orientation rather than the ICTP. Brett Tillett agreed.

Jane Van-Dyke Perez asked if there's currently a regulation on *accounting and filing*. Robert stated that all of the topics that have an asterisk symbol next to them are supported by regulations. Trish Nishio, Vendor Analyst, stated that there are a number of laws in the regulations that licensees are expected to comply with as part of their licensure. Trish further stated that the IRS is a federal law and that *accounting and filing* should be considered as an optional part of the Core of Knowledge.

Molly Valera suggested combining *liability issues* and *insurance* because both of the topics are related.

Brett Tillett asked the group if they are currently teaching all of the topics in the Core of Knowledge. Frond Hausey answered that most vendors do teach everything on the Core of Knowledge, because that was the intention of the developers of the Core of Knowledge in the first place.

Jane Van-Dyke Perez made a motion to remove the word "ratio" from *staffing requirement* under "Management/ Supervision of Staff", because staffing ratio varies. CALA agreed and the motion passed.

Milagros Tinio-Buenviaje asked if First Aid and CPR are required topics. Cathy Ballantine stated that AB 2044 passed this year and it requires at least one staff with First Aid and CPR training to be present at all times. Mark Cimino stated that vendors are to only teach the difference between First Aid and CPR. Brett Tillett agreed with Mark and stated that ACS has had vendors in the past that think they can or should teach CPR because it is listed in the COK. However, CPR should only be taught by an agency that has had proper training to do so.

Molly Valera made a motion that *FMLA, employment status, live-ins vs. employee* should be added to "Business Operations." Mark Cimino seconded the motion and suggested specifically addressing *salary vs. hourly* under business operations.

Shicara Shaw made a motion that *wage orders* should be added under "Labor Laws" in "Business Operations." The group agreed and the motion passed.

Shicara Shaw made a motion to add *basic interviewing skills* and *termination* under "Management/ Supervision of Staff". Jody Speigel seconded the motion and suggested sharing Fact Sheet #33 with administrators. *Fact Sheet #33* was added to "Management/Supervision of Staff". Note: Fact Sheet #33 was shared with committee prior to November 21, 2014 meeting by Nishio.

Cathy Ballantine made a motion to move *dementia care* to "Alzheimer's and Dementia Training." The group agreed and the motion was passed.

Jody Speigel made a motion to add *resident council* to "Psych/Social Needs." The group agreed and the motion was passed.

Molly Valera made a motion to add *end of life* to “Psych/Social Needs”. Mark Cimino seconded the motion and *end of life* was added to “Psych/Social Needs.”

Joann Peterson made a motion to add *eye care, free legal services and dental* to “Community Support Services.” The group agreed and the motion passed.

Jane Van-Dyke Perez made a motion to add *suicide prevention* to “Community Support Services.” The group agreed and the motion passed.

Mark Cimino made a motion to add *PACE* to “Community Support Services.” The group agreed and the motion passed.

Molly Valera made a motion to add *211 and Adult Day Care Center* to “Community Support Services”. The group agreed with *211* and it was added to “Community Support Services”, but *Adult Day Care Center* was not added.

As a best practice, Shicara Shaw suggested to have administrators make a resource list that is appropriate per their county. Shicara then made a motion to add *Medicare* to “Community Support Services”. The group agreed and the motion passed. Shicara Shaw raised an issue of concern that *DNR* was being covered under both, “Community and Support Services” and “Residents’ Rights.” The group agreed that *DNR* belonged under “Residents’ Rights”.

Shicara Shaw made a motion to move *hospice care* from “Physical Needs” to “Postural Supports and Restricted Health Conditions and Hospice Care.” Brett Tillett seconded the motion and raised an issue of concern that the last column in the Core of Knowledge should read: “Postural Support and Restricted Health Condition and Hospice Care.”

Jane Van-Dyke Perez asked if ACS is going to want the ICTP to follow the COK exactly how it is being laid out, because she covers some of the topics under different sections. Robert stated that ACS will be responsible for ensuring vendors cover all topics in the Core of Knowledge.

Brett Tillett asked the group to review the statutory language before the next meeting and to think of possible ideas for the extra 20 hours of the ICTP that do not have to be live.

Next Steps

Robert asked the committee to review the recommended changes thus far to be sure the group captured everything and to consider competency areas, regardless of whether they follow the order presented in the COK. He added that it will be incumbent upon vendors to ensure they can demonstrate coverage of 80 hours all knowledge areas.

What Worked and What Didn't Work

The group was asked to identify what worked and what could have been better, concerning the meeting.

- Mark Cimino stated that it would be helpful to have an outline with objectives of where ACS and the ACSAC are headed. Mark further stated that the group should focus on first identifying all of the competencies and worry about placing them under certain sections later.
- Frond Hausey stated that the initial process of developing the COK was not built in one day. Frond suggested having the group mark up their copy of the COK with the changes they would like to see and submit them to ACS prior to the next meeting. Robert stated that this would be difficult to manage, as there would be so many variations of the document floating around. Robert stated that, based on his experience with training-related advisory committees, the process we are using has proven to be the most effective.

Robert stated that he would revise the draft COK document to include recommendations from the meeting today and send it out to all members to again review prior to next meeting in November.

Next Meeting Date

The date for the next ACSAC meeting is scheduled for Friday, November 21, 2014 from 10:00 a.m. to 1:00 p.m., in Office Building 9, Room 203 of the Department of Social Services, 744 P Street, Sacramento, CA.

Recorder: *Esmeralda Rivas, AGPA*