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ADULT AND SENIOR CARE UPDATE



SPRING 2013

This is the spring edition of the **Adult and Senior Care Update**. Our goal is to provide you with timely and relevant information about issues that affect adult and senior care licensed facilities. We hope you will take time to review the *Update* and share it with members of your organization, as well as with others interested in adult and senior care issues.

CHAPTERED LEGISLATION AND IMPLEMENTATION PLANS FOR 2012

Implementation plans for bills chaptered in 2012 affecting Residential Care Facilities for the Elderly (RCFEs) and adult care facilities are available on the Community Care Licensing Division (CCLD) website. Unless otherwise noted in the implementation plans, these laws became effective on January 1, 2013. Licensees are encouraged to review these implementation plans to ensure compliance with these new laws. Licensees are advised to also ensure that facility staff are aware of these new laws. If you have any questions, contact your local licensing office.

The implementation plans are on the CCLD webpage at:
<http://cclld.ca.gov/res/pdf/13APX-03.pdf>.

The 2012 RCFE Act is available at:
<http://www.cclld.ca.gov/res/pdf/12apx08.pdf>

The 2012 Community Care Facilities Act is available at:
<http://www.cclld.ca.gov/res/pdf/12apx07.pdf>

Title 22 regulations are available at:
<http://www.dss.cahwnet.gov/ord/PG295.htm>

A list of local licensing offices is available at:
<http://www.cclld.ca.gov/res/pdf/ASC.pdf>

INFORMATION AND RESOURCES ON BEDSORES

Residents who are unable to get out of bed or spend most of the day in a wheelchair are at high risk of getting a pressure ulcer, accord to the Department of Pain Medicine and Palliative Care at Beth Israel Medical Center in New York City. People who cannot move certain parts of their bodies are also at risk, for example a resident who has difficulty moving his or her leg after a stroke. Residents in RCFEs may be at risk because of the above factors and because their skin may be thin and fragile.

Bedsore, also known as pressure ulcer, and decubitus ulcers are typically localized injuries to the skin and/or underlying tissue usually over a bony area of the body and occur, as a result of pressure, or pressure in combination with friction. Most commonly this will be the sacrum, coccyx, heels or the hips, but other sites such as the elbows, knees, ankles or the back of the cranium can be affected.

According to the National Institute of Health (NIH), bedsore or pressure ulcer occur when muscles and soft tissue press against a surface such as a chair or bed. This pressure cuts off blood supply to that area. Lack of blood supply can cause the skin tissue in this area to die. When this happens, a pressure ulcer may form. The NIH suggests caregivers contact a physician or nurse if early signs of a pressure sore are evident. Specialists at Beth Israel Medical Center caution that if left unattended, a Stage One pressure sore which becomes red around a bony part of the body will worsen over a short period of time to the point at which there may be nerve damage to the area.

To prevent bedsore, the NIH, Beth Israel Medical Center and The Mayo Clinic encourage the following:

- Gently check a resident's entire body (head to toe) on a daily basis – explain to the resident why you are conducting this check. Special attention should be paid to the areas where pressure ulcers often form (i.e., tailbone area, hips, shoulders);
- Treat residents' skin gently when washing (use a soft sponge or cloth to clean; and use moisturizing cream and skin protectants daily);
- Encourage residents to drink plenty of water each day; and
- Encourage residents to wear loose fitting clothes to avoid friction to sensitive areas.

The NIH also suggests caregivers should ensure that residents using wheelchairs are in an appropriately sized wheelchair. A physical therapist or the resident's physician can assist in assessing a resident's wheelchair fit. Additionally, wheelchair fit should be checked at least once a year or per need. Residents who are bedridden should be repositioned in accordance with a physician's order, or at a minimum, once every two hours.

For more information, see the NIH's Medline website at:
<http://www.nlm.nih.gov/medlineplus/ency/patientinstructions/000147.htm>

The CCLD recognizes the potential serious nature of wounds and pressure ulcers and existing regulations address requirements related to wound care and pressure ulcers. These regulations require additional actions from licensees beyond what is recommended by NIH. For more information, click on the Title 22 Regulation link on page one and review the following regulations.

For Adult Care Facilities, see the following sections:

- 80092.9 - Wounds
- 80092 - Restricted Health Conditions

For RCFEs, see the following sections:

- 87631 - Healing Wounds
- 87612 - Restricted Health Conditions
- 87615 – Prohibited Health Conditions
- 87101 – Definitions, Healing Wound

COMPLIANCE WITH FEDERAL LABOR LAWS

It is important for licensees to know about workplace safety, employee wage and hour requirements, and how to comply with federal labor laws. The United States Department of Labor, Wage and Hour Division is responsible for the administration of the Fair Labor Standards Act (FLSA) in the area of wages and compensation. According to an investigative survey conducted by the Wage and Hour Division, appropriate compensation to staff for time worked and what constitutes time worked are the area's most misunderstood by employers, especially those employing staff on duty for more than 24 hours.

A fact sheet titled Residential Care Facilities, which discusses what constitutes compensable time under the FLSA, is available at:
<http://www.dol.gov/whd/regs/compliance/whdfs33.pdf>

Additional information can be obtained from the Department of Labor website at www.wagehour.dol.gov or by calling their toll-free information service number, (866) 487-2365.

HEALTH AND SAFETY REMINDERS AND RESOURCES

With summer approaching, it is a good time to prepare and plan for summer related heat issues. The CCLD webpage has information on heat safety and can be accessed at: <http://www.cclid.ca.gov/PG535.htm>

The American Red Cross has created a Safety and Disaster Library with tools and resources, including checklists that can be useful to providers in planning for the health and safety of residents in care. Some of the many checklists that are available include:

- Home Fire - Fire Prevention and Safety Checklist
- Power Outage Checklist
- Wildfires Checklist
- Earthquake Safety Checklist
- Flood Safety Checklist
- Flu Checklist - Taking Care of People with the Flu
- Food Safety

<http://www.redcross.org/www-files/Documents/pdf/Preparedness/checklists/FireSafety.pdf>

SUMMARY

If you have questions about this *Update* or suggestions for future topics, please contact Fernando Sandoval, Chief, Policy Development Bureau, at (916) 651-3456. Please visit our website at www.CCLD.ca.gov for copies of *Updates*, office locations, provider letters, regulations, or to learn more about licensing services.

Sincerely,

Original signed by Kathi Mowers-Moore for

JEFFREY HIRATSUKA
Deputy Director
Community Care Licensing Division