

ADULT FOSTER CARE LICENSING ADVISORY COUNCIL

MEETING MINUTES

Wednesday, May 15, 2013

MEMBERS PRESENT: Salli Christenson, Bishop Ira Combs, Kathy Lentz, Tari Muniz, Kelly Milnickel, Kathleen Murphy, and Justine Rowley

MEMBERS ABSENT: Cynthia Farrell, Jenny Cook and Linda Lawther

ADULT FOSTER CARE/HOME FOR THE AGED LICENSING STAFF

Luttrell D. Levingston, Director, AFC/HFA Licensing Division

Erika Ferrell, Adult Foster Care Licensing Consultant

Mahtina Rubritius, Adult Foster Care Licensing Consultant

Kristine Manion, Secretary

Salli Christenson, Chairperson, called the meeting to order at 10:02 a.m. Chairperson Christenson did the roll call of Council members, showing a quorum was present, with three Council members absent.

Welcome to new member of the Council: Kelly Milnickel from Benton Harbor, MI. Kelly is the supervisor for West Michigan Guardianship Services. West Michigan Guardianship Services acts as guardian for developmentally disabled adults and mentally ill adults, as well as some adults with Alzheimer's. Kelly has been with this program for 5 years.

Approval of Agenda

Tari Muniz made the motion to approve the agenda, with Kathleen Murphy seconding the motion. All were in favor. Agenda approved.

Approval of Minutes of February 13, 2013

Kathy Lentz moved to accept the minutes for the February 13, 2013 meeting, with Bishop Combs seconding the motion. All were in favor. Minutes approved.

Public Comment

No public comment.

AFC Licensing Advisory Council vacancies

Luttrell indicated that John Kerr's wife emailed Luttrell and Salli wherein she indicated that John wants to resign due to health issues. A thank you letter should issue from the Council to John thanking him for his service. The DHS Director is looking to appoint someone to fill John's vacancy.

Jenny Cook has been absent for several meetings and Salli has heard from some of Jenny's colleagues that she has resigned her job to stay at home with her children. The Council's By-Laws hold that if one is absent from 3 consecutive meetings, that person is deemed to be off the Council and therefore Council can ask the DHS Director to appointment someone to replace the person. Director Corrigan will be making the decision as to who she wishes to appoint to the Council, to the two vacancies. The Director is hoping for a wide variety of people to be considered. Luttrell asked the Council members, if they had someone in mind for consideration, to have a letter and resume sent to Luttrell as soon as possible so he could get the documentation to Director Corrigan.

Kathleen Murphy said that Jenny Cook gave a lot to the Council while Jenny was engaged and therefore Kathleen wanted to be sure that good faith efforts to contact Jenny have occurred. Luttrell stated that in addition to calls to Jenny's office and emails, that a letter was also sent by Salli inquiring as to whether Jenny wished to continue with the Council or not. Salli got a voice mail back from one of Jenny's colleagues indicating that Jenny had "retired". Salli said she'd be happy to prepare and send a letter to Jenny thanking her for her service to the Council, having Kristine prepare same.

Bishop Combs made a motion asking that DHS Director Maura Corrigan move to appoint two individuals to the Advisory Council. Salli Christensen seconded the motion. All voted in favor.

Report from the Council Subcommittee regarding the option for increasing person-centeredness in the AFC/HFA setting Report by Tari Muniz, the subcommittee's chairperson:

There have been two meetings since the last AFC Licensing Advisory Council meeting in February, 2013. What we determined when we first met was how can we find ways to incorporate more person centeredness across the spectrum? We agreed that the focus should be more on how to get this culture change moving on the larger level by focusing on training for providers, direct care staff and to developing the practices.

We want to receive feedback from the Council on what the Council thinks of the determinations of this work group. We wish to move along, if the Council feels that this is an appropriate way to move forward, by focusing more on best practices and training opportunities.

The work group has been notified that someone from Recipient Rights wishes to join the group. This group is not limited to Council members at all. Luttrell suggested that an actual provider of services be included in this work group, this person being able to share some "real world" insight and experiences.

Justine Rowley indicated that she has taken the on-line training for person-centeredness care and found the course was too easily passed and therefore would not be open to such training for providers.

Tari Muniz indicated that person-centered planning has been in the health code for decades now. However it has become a bit of a compliance issue rather than a philosophy/culture change issue. What steps can be taken to correct this?

Luttrell said he has asked the Dept. of Community Health if they wished to send someone to these meetings, to share their perspective. Tom Renwick said he'd get back with us as to whether there is someone he'd like to send to work with us. Also, Diane Baker of Recipient Rights has asked to be a part of this work group.

Bishop Combs wishes to be sure that there is a CARE component included with training.

DCH was very excited to hear that Kathy Lentz had joined the Council and exclaimed that BCAL could not have found a better CMH representative in the State.

Tari stated that, going by the Council's discussion, that the Council would like this work group to meet again and move forward.

Bishop Combs suggested narrowing the focus of the work group so that it is focused on three or four things only. Kathleen's thinking is that the main focus should be working with licensees who have no experience with person centered planning. This is something that the work group needs to discuss. Tari said that she feels that clarifying, not narrowing, the focus is a main objective of the work group.

Salli thanked Tari for taking the lead on this work group.

Division/Bureau Updates- Luttrell Levingston

1. This past fall AFC/HFA initiated a new statewide rollout model for renewal inspections that focuses on interview and observation of residents. We're still doing some paper reviews but we're far more focused on the human interactions in the homes. We continue to get great responses from licensees who say they love this new model. Regarding our licensing consultants: when the rollout happened, AFC/HFA Licensing Division was committed to re-evaluate this new aspect of renewal inspections at six months. We are going to survey our consultants in order to find out what they think of the new renewal inspection model and their satisfaction or dissatisfaction with it. Erika Ferrell has developed a survey and it is hoped that this survey can get out to all AFC/HFA consultants this months. Responses are all anonymous to encourage open answering of the questions. We are hoping to share the results of the licensing consultants survey with the Council at the next meeting.
2. BCAL central office staff will be leaving the building at 7109 West Saginaw to a new space in the Victor Building in downtown Lansing. BCAL is expected to be in the new

building by the beginning of August, 2013. In the past 30 days BCAL's Pontiac and Clinton Township offices have moved to new locations.

3. BCAL, and all of DHS, is now operating under temporary hiring restrictions. AFC/HFA has been very lucky as a Division because there was only one vacancy when the restrictions came into being.
4. Caseload shifts for AFC/HFA staff: if the same consultant has been assigned to the same facility for more than 6 years, we've rotated where possible. There are places where this cannot work, i.e. AFC/HFA has 2 consultants in the entire Upper Peninsula, and therefore we can't do that much moving around. Some inconsistencies have come up, with new consultants examining the "new" assigned facilities, which were expected.
5. Fingerprinting: As of March 13, 2013, every licensee was required to get fingerprinted. There are a few exceptions to this. Our current instructions to staff is not to go out looking for this but when they are out on a renewal inspection, to go ahead and check on the fingerprinting requirement and then a citation could be issued if warranted.
6. There is a new vendor for fingerprinting, which is L-1 replacing Cogent. L-1 has assured DHS that by June 1st they will have 53 providers, which aren't as many as Cogent had, but the number is acceptable.
7. Nationwide shortage on TB testing drugs: AFC/HFA does require that people, before they move to work in a home, that they secure a TB test. I have instructed consultants to not cite anyone for this at this time because this is a problem beyond anyone's control. We currently have no information as to when this might be resolved.

Bishop's question regarding training that licensees can participate in: there is a process that must be followed which is included on the AFC/HFA website. In order for the licensee to get credit towards the 16 hours annual requirement, it has to be training that is properly approved. There is an outline on the AFC/HFA website that gives information about State approved training. Luttrell asked Erika to send this information directly to Bishop Combs.

- Are there other certifications that are automatically accepted by AFC/HFA? Erika- No. Every type of "certification" has to be reviewed and found acceptable to become training a licensee can participate in.
- Anything submitted to Erika, she reviews for the entire State and if found acceptable, it will be included on the website.

Legislative Issues- Mahtina Rubritius (The report is attached hereto.)

HB4382, HB4383, HB4384: Luttrell stated that these Bills are important because DHS is not taking a position on these bills. Luttrell wishes to raise the issue that there are concerns because under the existing DNR statute a guardian does not have the authority to sign a DNR. It is BCAL's belief that guardians have frequently signed those Orders. The providers in those homes may not understand that the guardian did not have the authority to do this. It is likely that many of the DNRs that are in existing adult foster care homes/homes for the aged may be

invalid because they were not properly signed. There are opposing positions as to whether guardians should be allowed to sign DNRs (important note: Michigan has a higher per capita of guardianships than most other States).

Kelly Milnickel: Kelly's organization does not sign DNRs; they follow the two doctor policy. At end-of-life her organization's staff relies heavily on what two doctors recommend and the staff will then put a medical treatment plan into place with one's quality of life at the forefront.

Luttrell: When DHS asked the Attorney General's office to look at this issue, we were advised that "the Court can always order this". Salli indicated that these Bills will continue to be monitored.

HB 0073: this Bill creates a vulnerable adult abuse registry. The Department of Human Services would establish and maintain a statewide electronic vulnerable adult abuse registry. If an individual is convicted of "vulnerable adult abuse" the Department shall list that individual on this registry. DHS is to also correspond with the State Police and other law enforcement agencies to establish a recording procedure that would allow the Department to obtain the names of other individuals and other necessary information for the vulnerable adult abuse registry.

- At this time Mahtina does not believe that DHS has taken a position on this House Bill. Luttrell will obtain Cynthia Farrell's input on this prior to the next Advisory Board meeting.

Bureau Statistics- Erika Ferrell/Luttrell Levingston (The report is attached hereto.) Regarding the report, Adult Foster Care/Homes for the Aged Quarterly Activity Report, Erika has a question: These statistics go back to 2009. Her question to the Council is how far back does the Council wish to go in this report? The consensus of the Council is to maintain the report with these years as they are. Kathleen Murphy said that the Council could look at this issue at the next meeting if need be.

Salli indicated to Erika how helpful it is to have the statistical data.

Luttrell, regarding the interview and observation model: Our staff felt they were much better able to get at medication problems at the homes because they were seeing what was occurring in the homes. CMH has required a lot of extensive training for medication delivery for those homes. We are not seeing the same sorts of violations in those homes, which is an outcome of our consultants being in the home, doing the work as opposed to looking at the matter after a visit.

Adjournment: Salli Christenson adjourned the meeting.

The next AFC Licensing Advisory Council meeting will take place on **Wednesday, August 14th, 2013 at 10:00 a.m., at (LOCATION TO BE ANNOUNCED)**. If you're unable to attend, please notify Kristine Manion and Council Chairperson, Salli Christenson.