

LONG-TERM CARE FACILITY ADVISORY BOARD

Regular Meeting

February 8, 2006 at 1:30 p.m. in Room 1102

Oklahoma State Department of Health, 1000 NE 10th Street, Oklahoma City, OK

AGENDA

- 1) Call to Order..... Diane Hambric
- 2) Roll Call Leslie Roberts
- 3) Review and Action to Approve/Amend the November 2, 2005 Regular Meeting Minutes
..... Diane Hambric
- 4) Discussion of Long-Term Care Issues Dorya Huser/James Joslin
Provider training workshops and facility emergency action plans.
- 5) Discussion of the Informal Dispute Resolution and Appeal Processes for Licensure
Only FacilitiesJames Joslin
The discussion is at the request of a Board member. Current agency policy does not allow informal dispute resolution (IDR) for Assisted Living, Residential Care and Adult Day Care facilities. The IDR process was created for nursing homes by federal regulation in 42CFR488.331. The IDR process was initially extended to all facility types under Long-Term Care. This practice was later withdrawn due to funding shortages and understaffing. The practice was later extended to Intermediate Care Facilities for the Mentally Retarded through Oklahoma statutory amendments.
- 6) Review, Recommendations and Action on Proposed Amendments to OAC 310:663,
Continuum of Care and Assisted Living.....James Joslin
Notice of Rulemaking intent has been published for the proposed rules. The proposed rules are scheduled for hearing before the Oklahoma State Board of Health on March 9, 2006. The proposed amendments and new language update the rules based on survey experience, history of complaint allegations and investigations, and public meetings held by the Long-Term Care Facility Advisory Board. The proposed amendments and new language address: definitions; other provisions applicable to continuum of care facilities and assisted living centers; appropriateness of placement in assisted living center; involuntary transfer or discharge; food storage, preparation and service; privacy and independence; minimum staff for services; resident service contract; resident rights; guardians and power of attorney; incident reports; medication administration; maintenance of records; outcome standards; notice of violation, plans of correction, and right to hearing; notice of voluntary closure; reference list for standards of practice. The Advisory Board may review, make recommendations regarding, and act to approve in its advisory capacity the proposed rules and amendments.
- 7) Update on the Ad Hoc Committee on Safety of Medication Administration by CMAsDiane Hambric

8) Review, Recommendations and Action on Proposed Amendments to OAC 310:675, Nursing and Specialized Facilities..... Henry Hartsell Jr.

The proposed amendments are intended for adoption as permanent rules to supersede emergency rules that became effective October 6, 2005 regarding pain management and December 22, 2005 regarding paid feeding assistants. Proposed amendments to Subchapters 7 and 13 implement the recommendations of the Pain Management Advisory Council and implement statutory requirements for pain assessments. The amendments include requirements for nursing policies to address pain assessment and treatment, resident pain assessments, and facility staff training. A new section is added to Subchapter 15 establishing a fund for the Department to financially assist temporary managers of nursing facilities to ensure continuation of care of the residents when funds are not available from any other source. A proposed new Subchapter 19 establishes standards for training and registration of feeding assistants in accordance with Title 42 of the Code of Federal Regulations, Parts 483 and 488, and Section 13 of Enrolled House Bill 1688 of the 1st Session of the 50th Oklahoma Legislature. The Advisory Board may review, make recommendations regarding, and act to approve in its advisory capacity the proposed amendments.

9) Review, Recommendations and Action on Proposed Amendments to OAC 310:677, Nurse Aide Training and Certification..... Henry Hartsell Jr.

The proposed amendments are intended for adoption as permanent rules to supersede emergency rules that became effective December 22, 2005. The proposed amendments to Subchapter 13 establish competency and practice standards for medication aides, create a list of skills and functions that medication aides may perform, specify certification and recertification requirements for medication aides, provide criteria and procedures for approval of training programs, and establish procedures for administrative sanctions against certified medication aides. The amendments establish advanced training and certification requirements for administration of diabetic medications, and for administration of medications via nasogastric and gastrostomy routes, and administration of oral metered dose inhalers and nebulizers. The phrases "stable diabetes" and "unstable diabetes" are defined. Requirements for facility policies and procedures on certified medication aides are established. The amendments affect the administration of medications in nursing facilities, specialized nursing facilities including ICF/MR and Alzheimer's facilities, continuum of care facilities, assisted living centers, adult day care centers, and residential care homes. The Advisory Board may review, make recommendations regarding, and act to approve in its advisory capacity the proposed amendments.

10) New Business

Not reasonably anticipated 24 hours in advance of meeting.

11) Public Comment

Please limit comments to three (3) minutes.

12) Adjournment

The regular meetings will be held at 1:30 PM in Room 1102 of the OSDH Building and are scheduled on May 10, Aug. 9, and Nov. 8.