



Office of Assisted Living Licensing

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Hello From The Program Manager

Larry Martens, LPN, BPS, Program Manager

Office of Assisted Living Licensing (602) 364-2639

Welcome to our seventh newsletter. We would like to thank everyone who has given us very kind compliments of the newsletter. We appreciate all the feedback and look forward to continually improving our newsletter in any way we can. I'm sure you will all agree that Joy Johnson, our editor, has done an outstanding job with our newsletters!

Thank you for returning your Customer Satisfaction Surveys to our office. We continue to receive a high volume of completed surveys. Results of these surveys have shown that our surveyors are timely, professional, and very customer service-oriented. Our overall satisfaction rate runs at 93%. We are very proud of these results! We hope that you will continue to complete these Customer Satisfaction Surveys. These surveys are a great tool for us to know how we are doing and where we need to make adjustments.

The Office of Assisted Living Licensing had a very good 2008. Many of you have commented that timeliness has improved with compliance, initial, and change of ownership surveys. We continually strive to be timely in all these surveys. In fact we began 2009 with backlog numbers in the low 200's. This is a fantastic effort by our surveyors, and support staff.

As we move into 2009, we are hoping to continue to improve our timeliness while maintaining the quality of the survey process. Rest assured in these tough economic times the Office of Assisted Living will continue to provide the customer service our providers and residents have come to expect and deserve.

*Thank you!
-Larry*

Top Ten Deficiencies for Assisted Living Centers



- | | |
|-----------------------------|--|
| #1 R9-10-706.A.1. | <i>Employee TB tests</i> |
| #2 R9-10-703.B.9. | <i>Compliance with Fingerprinting Requirements</i> |
| #3 R9-10-717.A.3. | <i>Employee fire drills</i> |
| #4 R9-10-703.B.3. | <i>Resident TB tests</i> |
| #5 R9-10-706.A.2.c. | <i>CPR/First Aid training</i> |
| #6 R9-10-723.E. | <i>Medication Requirements</i> |
| #7 R9-10-711.A.6.a. | <i>Service plan signed</i> |
| #8 R9-10-706.E.4. | <i>Employee references</i> |
| #9 R9-10-707.A. | <i>Employee Orientation</i> |
| #10 R9-10-711.A.5.b. | <i>Service plans</i> |

Top Ten Deficiencies for Assisted Living Homes (including Adult Foster Care Homes)



- | | |
|----------------------------|---|
| #1 R9-10-723.E. | <i>Medication Requirements</i> |
| #2 R9-10-703.B.3. | <i>Resident TB tests</i> |
| #3 R9-10-706.A.1. | <i>Employee TB tests</i> |
| #4 R9-10-711.A.6.a. | <i>Service plan signed</i> |
| #5 R9-10-717.A.3. | <i>Employee fire drills</i> |
| #6 R9-10-713.B.3.a. | <i>Medications stored in a locked area</i> |
| #7 R9-10-718.10. | <i>Poisonous or toxic materials stored in a locked area</i> |
| #8 R9-10-703.B.9. | <i>Compliance with fingerprinting requirements</i> |
| #9 R9-10-713.B.6.b. | <i>Medication Records</i> |
| #10 R9-10-716.A.1. | <i>Compliance with local codes</i> |

**Data covers calendar year 2008*

Nurse and CNA Information

"Nurse" means an individual licensed and in good standing as a registered nurse or a practical nurse as prescribed in A.R.S. Title 32, Chapter 15.

Did you know that you can verify licenses of Nurses and CNAs (*certified nursing assistants*) at the Arizona State Board of Nursing web site? Also, the Board of Nursing has an "Imposter Alert" list concerning individuals who have either applied for a position, been employed or represented themselves to others as a Nurse or CNA without evidence of a valid license or certificate to practice in Arizona.

When using a Nurse in your facility, in accordance with the State of Arizona Assisted Living Licensure rules and regulations, the Nurse must have a valid license in good standing to practice in Arizona.

****FYI...Not only can you check for current licensure, the website will show if the professional (RN, LPN, and CNA) has been fingerprinted by the Board...***

The Arizona State of Board of Nursing's contact information is:

4747 North Seventh Street, Suite 200

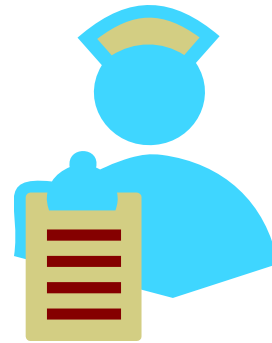
Phoenix, Arizona 85014-3653

602-889-5150

602-889-5155 Fax

Email: arizona@azbn.gov

Web Site: <http://www.azbn.gov>



CLIA- Clinical Laboratory Improvement Amendments

CLIA is regulated by the federal government through the state agency, the regional office and the central office. Applications for CLIA certification may be obtained through the Office of Laboratory Services (OLS), CLIA Program. Call (602) 364-0726 or write to 250 North 17th Avenue, Phoenix, Arizona 85007-3231. Please visit the OLS website at www.azdhs.gov/lab/license/cliafaq.htm for frequently asked questions.

CLIA regulations are available through CMS at www.cms.hhs.gov/cliia or through the Code of Federal Regulations, 42 CFR 493.

Please contact the OLS-CLIA Program for information on obtaining and updating a CLIA waiver.



2008...A Very Good Year !!! ...thought you might like to know...

'Tis ('twas) the season...the Office of Assisted Living Licensing (surveyors, support staff, and management team) participated in a fantastic, local program within our community. The *"Be a Santa to a Senior"* program provides holiday gifts to seniors who may not receive a gift during the gift-giving season.

Our staff "dug deep" and graciously donated fourteen \$10 gift cards for Wal-Mart and other stores. Contributions also included six pairs of ladies socks, 2 bath robes, two fleece blankets, five gift baskets (with bath items, candles, and candy), a neck warmer, and numerous holiday decorations.

The gifts were boxed, wrapped, organized and delivered to the program who distributed the gifts to seniors in need. ...Now, isn't that what the holidays are all about !!!



Please Notify the Department of a Facility Closure

A.R.S. 36-422.D.

If a current licensee intends to terminate the operation of a licensed health care institution (***FYI – assisted living homes are licensed health care institutions***) or if a change of ownership is planned either during or at the expiration of the term of the license, the current licensee shall notify the director (Office of Assisted Living Licensing) in writing at least thirty days before the termination of operation or change in ownership is to take place. The current licensee is responsible for preventing an interruption of services required to sustain the life, health and safety of the patients or residents. A new owner shall not begin operating the health care institution until the director (Office of Assisted Living Licensing) issues a license.

**Please note, this includes closures due to "no residents." The Office of Assisted Living Licensing does not assume you are closed because we haven't received an application for renewal. Please call, write, or fax the Department if you are CLOSED/CLOSING your home. Office of Assisted Living Licensing, 150 North 18th Avenue, Suite 420, Phoenix, Arizona 85007-3242, Phone: (602) 364-2639, FAX: (602) 364-4766.*

**For the Tucson Office, 400 West Congress, Suite 116, Tucson, Arizona 85701, Phone: (520) 628-6965, FAX: (520) 628-6991*

Diet Manual Resource List for Assisted Living Facilities

****Please note: The following list is ONLY information about where diet manuals may be available. This is not a comprehensive list of all available diet manuals. The State of Arizona does not recommend any specific diet manual. It is incumbent on the licensee to ensure the proper diet manual is utilized and meets the rules of Assisted Living Licensure for the State of Arizona. The organizations below may charge a fee for the manual.*

R9-10-715. Food Services

A. A licensee shall ensure that:

B. If the assisted living facility offers therapeutic diets, a licensee shall ensure that:

1. A therapeutic diet manual, no older than five years from the copyright date, is available and accessible for use by employees; and
2. The therapeutic diet is provided to a resident according to a written order from the resident's physician or as otherwise provided by law.

Nutrition Alliance, LLC
www.nutritionalallianceaz.com
P.O. Box 14143
Tempe, AZ 85284-0070
(602) 819-8394
FAX: (480) 961-9335
E-mail: nutriall@aol.com

Stony Brook University Hospital Diet Manual
State University of New York
www.stonybrookhospital.com/dietary
(PDF file downloadable diet manual)

Maryland Department of Health and Mental Hygiene
www.dhmm.state.md.us
Office of Health Care Quality
Bland Bryant Building-Spring Grove Hospital Center
55 Wade Avenue
Catonsville, Maryland 21228
(410) 402-8015
FAX: (410) 402-8211

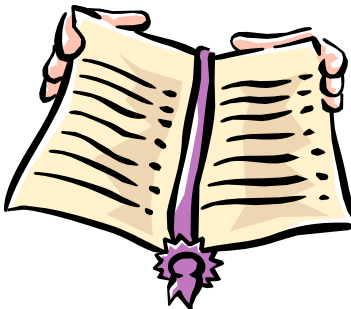
Idaho Diet Manual 9th Edition (2005)
www.eatrightidaho.org (choose "shop" function)
available for purchase on-line through shopping cart on website

Indiana Dietetic Association
www.dietetics.com/ida
150 North Illinois Street
Elberfeld, IN 47613
(812) 983-9911

Georgia Dietetic Association, Inc.
4780 Ashford Dunwoody Road, Suite A #512
Atlanta, Georgia 30338
(404) 539-6667
FAX: (404) 549-4644
Email: info@gda-online.org

South Carolina Diet Manual
www.eatrightsc.org
SCDA
PO Box 1763
Columbia, SC 29202
(803) 252-1087
(803) 255-7223

State of California
California Long-Term Care Diet Manual
www.dds.ca.gov/publications
(downloadable diet manual)
...scroll down page, click on dds diet manual



**Information verified and Updated on 3/24/2009*

IMPORTANT INFORMATION for Providers

Please be advised of the following information...

The Department has become aware that some nurses who provide services to assisted living facilities are no longer licensed. Please contact the Arizona State Board of Nursing for nursing license verification.

Additionally, some CPR/First Aid trainers are no longer allowed to train for the Red Cross, ASHI (American Safety & Health Institute), etc. It is always a good idea to double-check credentials of any individuals providing services to you, your residents, and your employees.

Please refer any questions regarding this information to "The Surveyor of the Day" at (602) 364-2639.



NEW PROVIDER ORIENTATION CLASSES

New Provider Orientation will be held at the Phoenix Office (150 North 18th Avenue, Suite 420) on May 13, July 8, September 9 and November 11 of 2009. New provider orientation is available to applicants who have submitted an initial application for licensure prior to attending the course. Please call the Department at (602) 364-2639 to pre-register for New Provider Orientation. There is no cost for the class but the applicant must submit the \$50 initial fee with their initial application.

** "Medication Rules Review" will be held at the Phoenix Office on the alternate months. Please call for reservations (602) 364-2639.

New Provider Orientation will be held at the Tucson Office (400 West Congress, Suite 116) on April 21, June 30, August 11, October 6, and December 1. Please call the Tucson office at (520) 628-6965 for more information.



Maricopa County-Do you (or your residents] own a dog?

Did you know that all dogs, three months or older, must be vaccinated against rabies and licensed in Maricopa County? (Arizona Revised Statutes 11-2008 and 11-1010). Maricopa County Animal Care and Control offers low cost vaccinations and Spay/Neuter Voucher program to assist you with the care and compliance of your dog. For more information about these programs and dog licenses, please visit www.pets.maricopa.gov

You may license your dog online at www.maricopa.gov/Pets/License/Online.aspx or by mailing your payment (with licensing application) to:
Maricopa County Animal Care & Control
Licensing Section
PO Box 2959
Phoenix, AZ 85062-2959

Licensing Fees are currently:

Altered Dogs (Spayed/Neutered) = \$ 16.00

Unaltered Dog = \$ 40.00

Senior Citizen household, age 65 or older: (altered dog/limit 2 dogs) = \$6.00

Please contact Maricopa Animal Care and Control for information.

******All counties have their own requirements for pet licensing; please contact the specific county for licensing requirements***

Additionally, R9-10-718. Environmental Services

A licensee shall ensure that:

12. Pets or animals are:

a. Controlled to prevent endangering the residents and to maintain sanitation;

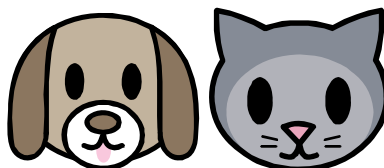
*b. Licensed consistent with local ordinances; **(OTHER THAN MARICOPA CO. Please contact your local authority to determine requirements for pet licensing...)***

c. Vaccinated as follows:

i. A dog is vaccinated against rabies, leptospirosis, distemper, hepatitis, and parvo; and

ii. A cat is vaccinated against rabies and feline leukemia.

Did you know studies have shown that elderly pet owners had significantly lower blood pressure, overall, than their contemporaries without pets? A study conducted with the Eden Alternative (pets incorporated into the facility's environment) revealed the elderly experienced a 15 percent lower mortality rate than a traditional nursing home environment (without pets), during a five-year period. Pets may help the elderly live longer, healthier, and more enjoyable lives!



DEPARTMENT OF HEALTH SERVICES DIVISION OF LICENSING SERVICES SUBSTANTIVE POLICY STATEMENTS #SP-026-DLS-OAD

CLARIFICATION OF FINGERPRINTING REQUIREMENTS FOR RESIDENTIAL CARE INSTITUTIONS, NURSING CARE INSTITUTIONS AND HOME HEALTH AGENCIES

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes Section 41-1033 for a review of the statement.

The purpose of this substantive policy statement is to clarify who must be fingerprinted as a condition of employment or before beginning volunteer work in a residential care institution, nursing care institution, or home health agency.

A.R.S. § 36-411 (A) requires that

Subject to legislative appropriations, as a condition of licensure or continued licensure of a residential care institution, a nursing care institution or a home health agency and as a condition of employment in a residential care institution, a nursing care institution or a home health agency, employees and owners of residential care institutions, nursing care institutions or home health agencies or contracted persons who provide direct care, home health services or supportive services and who have not been subject to the fingerprinting requirements of a health professional's regulatory board pursuant to title 32 (*A health professional who has been previously fingerprinted as a condition of licensure or certification under title 32 is not required to submit an additional set of fingerprints to the department under A.R.S. 36-411 (B)*) shall have valid fingerprint clearance cards that are issued pursuant to title 41, chapter 12, article 3.1 or shall apply for a fingerprint clearance within twenty working days of employment or beginning volunteer work except as provided in subsections F, G and H of this section.

Residential care institutions and nursing care institutions

Under A.R.S. § 36-411 (E), a person or contracted person providing direct care who has been denied a fingerprint clearance card or has not received an interim approval from the board of fingerprinting shall not continue to provide direct care. Direct care is defined in A.A.C. R9-10-901 (24) as medical services, nursing services, or medically-related social services as defined in A.A.C. R9-10-901 (49) provided to a resident in a nursing care institution. In a residential care institution, the Department interprets direct care as medical services, nursing services, or health-related services as defined in A.A.C. R9-10-101 (25) provided to a resident.

The Department views direct care as requiring hands-on contact with a resident for the purpose of providing medical, nursing, or health-related services in a residential care institution, or providing medical, nursing, or medically-related social services in a nursing care institution. A person providing direct care in a residential care institution or nursing care institution must have a fingerprint clearance card. The person may be an employee of the facility or contracted by the facility to provide direct care. A volunteer who provides direct care must have a fingerprint clearance card unless the volunteer provides direct care under the direct visual supervision of an owner or employee with valid fingerprint clearance.

FINGERPRINTING REQUIREMENTS CONTINUED...

Additionally, a person whose primary job responsibilities do not include direct care but who occasionally provides direct care must have a fingerprint clearance card. For instance, if a dietary staff member occasionally feeds a resident, then the dietary staff member must have a fingerprint clearance card because feeding a resident is providing direct care.

Examples of staff who must be fingerprinted include:

- RNs, LPNs, CNAs, NAs, and caregivers employed by the facility
- Physical, respiratory, occupational and speech therapists and therapy staff
- Massage Therapists (unless directly contracted by patient/resident)
- Social Worker (unless directly contracted by patient/resident)
- Activity staff in nursing care institutions
- Persons having a contract with the facility to provide direct care
- Contracted staff, such as RNs, LPNs, CNAs, NAs, caregivers, physical, respiratory, occupational and speech therapists and therapy staff, and massage therapists (*unless directly contracted by patient/resident - Proof of timely application to DPS and/or fingerprint clearance card does not have to be available on-site at the time of request during an inspection, but must be made available within the inspection period or shortly thereafter*)

Examples of staff who are not required to be fingerprinted include:

- Van driver
- Clergy
- Housekeeper/Maintenance/Groundskeeper/Laundry
- Dietitian/Dietary staff (unless providing direct care)
- Beautician
- Administrator/Manager (unless providing direct care)
- Activity staff in assisted living facilities and adult day health care centers
- Persons having a contract with a resident or patient to provide direct care to the resident or patient.
- Volunteers who provide services under the direct visual supervision of a previously fingerprinted owner or employee.
- Therapists and therapy staff contracted by the resident/patient
- Hospice nurses, employees and volunteers

When a resident of a residential care institution receives home health services, the residential care institution is not required to maintain verification of the home health agency's compliance. This is monitored through the licensing process for home health agencies.

Home health agencies

Under A.R.S. § 36-411 (E), a person or contracted person providing home health services or supportive services shall not provide those services if the person has been denied a fingerprint clearance card. Home health services and supportive services are defined under A.R.S. § 36-151 (3) and (6), respectively. Therefore, any person providing home health services or supportive services, either for a home health agency or under an arrangement with a home health agency, must have a fingerprint clearance card.

*...Fingerprint Clearance Requirements Guidelines are available on our website at:
www.azdhs.gov/als/hcb
...under heading "Provider Information" select "Fingerprinting FAQ's [PDF 16K]...*

Medication Rules Review Classes Now Available

Available to Providers, Managers, Manager Designees and Caregivers

50 seats available

Please fill out the form below and fax to (602) 364-4766.

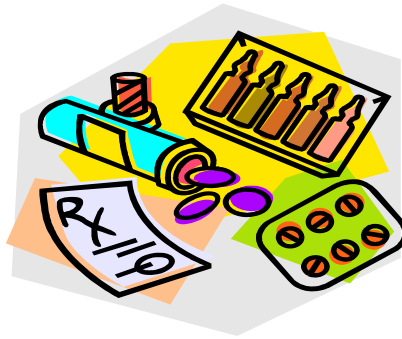
Classes available:

June 2, 2009 - 2-3 p.m.

August 5, 2009 - 2-3 p.m.

October 7, 2009 - 2-3 p.m.

Arrive 15 minutes before class



Name: _____

Facility: _____

Phone Number: _____

Please indicate which dates you would like to attend (circle one):

June 2, 2009 - 2-3 p.m.

August 5, 2009 - 2-3 p.m.

October 7, 2009 - 2-3 p.m.

Please fax this form back to our office, Attention: Office of Assisted Living, re. Medication Rules Review Class. Fax Number: 602-364-4766. If a class date that you signed up for is full, we will call you to change your class time.

ADHS Office of Assisted Living Licensing

PHOENIX OFFICE

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Program Manager
Bill Gillman, RN, Team Leader
Jim Tiffany, Team Leader
Zakiya Torkwase,
Team Leader
Angie Garduno,
Program Specialist
Sara Sarabia,
Support Services Supervisor

TUCSON OFFICE

Bob Ohlfest, Team Leader
Betty Rocha,
Program Specialist
Pam Grumeretz,
Examiner Tech II

We're on the Web!

See us at:

www.azdhs.gov/als/hcb

Did you know?

...We are here for YOU...

*...“Surveyor of the Day”, Our Support Staff, Our Management Team and YOUR surveyor are available to provide technical assistance and sometimes guidelines for your questions...PLEASE feel free to call us with your questions and concerns...Surveyor of the Day (ADHS direct line) 602-364-2639 Monday through Friday from 8:00 a.m. to 5:00 p.m.
For the Tucson office,
Please call: (520) 628-6965...*

**NOTE: Please speak with the surveyor who inspected your home if you have specific questions about cited deficiencies and guidelines for your plan of correction, in response to your statement of deficiencies. The survey process includes an exit interview with your surveyor. Additionally, examples of plan(s) of correction are mailed with your statement of deficiencies...*

*...Providers...it is a good idea to be aware of and build a Rapport with EMT 9-1-1 Emergency Medical Transportation...it's helpful to have an extra copy of your residents' cover sheet, DNR information, and MAR (medication administration record) to submit to Emergency Personnel when an incident occurs with your resident...
...Don't forget to document incidents (“occurrence or event that has the potential to cause harm to a resident...”) in your facility files...*

...We welcome your comments...please call, e-mail, write, or fax us with comments and suggestions for this newsletter. The provider newsletter is designed to provide helpful information regarding updates and rule compliance.

ADHS-Office of Assisted Living Licensing

Attention: Joy Johnson, M.Ed., Newsletter Editor

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The latest copy of our newsletter is always posted on our website!

Thank you!