

## State News

### Life Under TABOR

*You Can't Even Pay Your Own Way*

by Pat Steadman & Fofi Mendez, Mendez Steadman & Associates

The TABOR amendment was a voter-initiated change to the Colorado Constitution adopted in the general election in 1992. TABOR stands for "Taxpayer's Bill of Rights," and among its many provisions, it prevents all Colorado governments from raising taxes without voter approval. This is perhaps the best known and most popular feature of TABOR, but other, lesser known provisions are now threatening to suffocate state government.

Consider the issue of cash funds. "Cash funds" are what state budget writers call non-tax revenues to the state, and they include everything from tuition paid to colleges and universities to

finances charged against offenders and fees paid to regulatory agencies, such as hunting license fees. Normally, cash funds are dedicated to support the program for which they are collected, such as tuition supporting higher education.

Cash funds are counted towards the limits that TABOR places on state revenues. This means that in years in which the state owes refunds to taxpayers for amounts collected in excess of TABOR limits, the cash funds collected by the state, whether they were tuition or fines or fees, all drive the state further over the TABOR limit and increase the amount of taxpayer refunds.

Imagine the frustration of members of the Joint Budget Committee. Even though many government programs are supported entirely by user fees, a program that "pays its own way" causes the state to pay refunds out of the general fund. When license fees are increased for assisted living residences or nursing licenses, those extra cash fund revenues push the state further over the TABOR limit and push money right out of the general fund.

Because of the impact of cash funds on the state's TABOR limits, JBC members are wary of new programs or expansions of existing programs, even when user fees or license fees are proposed to finance the expansion. Under TABOR, you can't even pay your own way.

This unfortunate set of circumstances may visit itself on HB 04-1014. This bill would expand the medication administration responsibilities of certified nurse aides to nursing facilities, but it would do so at a cost. This additional certification for CNAs would bring \$136,000 in additional license fees to the state. That's \$136,000 in additional TABOR refunds owed to taxpayers, and that's a problem for HB 1014.

TABOR reform is a major topic for the General Assembly in 2004. Government simply cannot continue to function as it has with unrealistic, "ratcheted-down" limits and refund mandates. Something has to give. But it will take an incredible will to compromise before the legislature acts on TABOR reform. Instead, citizen petition drives may place ballot initiatives before voters in November. In either event, November voters need to be prepared for important decisions.



**Fofi Mendez and Pat Steadman**  
Mendez, Steadman, & Assoc.

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American Association  
of Homes and Services  
for the Aging



Assisted Living Federation  
of America

# Executive Update

By the time you read this we will be almost halfway through the 2004 Legislative Session and the Annual Legislative Luncheon will be upon us! Consistently, you tell us that our legislative and regulatory advocacy on your behalf is an essential reason you renew your membership in CAHSA year after year. We appreciate your feedback and support of our efforts. This year we are pleased with the number of members who have come forward to testify to Legislative Committees at the Capitol on behalf of CAHSA. We thank you for your efforts. For those of you who considered stepping up, it's not too late to get involved – we still have the "second half" of the session to go. Contact us at the CAHSA office if you wish to take a more active role in our efforts. CAHSA's Legislative Brochure summarizing our key issues is enclosed with this issue of *CAHSA Connecting*. And remember to read the *Capitol Focus* to keep abreast of our activities each week. We will continue its publication throughout the session.

As I mentioned last month, we have the results of our Education Survey and I would like to share those with you. And again, thanks to everyone who participated. Now, a summary of what we heard. Your responses suggested a need for a strategic shift in the focus of our education programs, and specifically our workshops for the remainder of 2004. You said that the topics of most importance are those related to Regulatory Compliance, Best Practices, Legal Issues and Aging and Design. You said also that in the past you have not attended programs because we did not offer the most needed courses. In addition, you indicated that the courses need to be announced further in advance to allow you planning time. Consistent with these preferences, we will be planning the workshops for the balance of this year with these things in mind.

We know also that your preferences for education can change, so we are providing a process to gather ongoing feedback on topics of interest. In the next month, we are adding a survey feature to the home page of our website that will be quick and "user-friendly." This feature should be installed later this month in conjunction with a redesigned look for our website. We will let you know as soon as it is up and running.

Speaking of changes and new features, last month we announced our new publication, *Lifelines*, which we began publishing in January exclusively for our nursing home members. Also, we formed a new task force to focus on nursing home reimbursement and provide a forum for our nursing home members to tackle reimbursement issues. This month I am pleased to announce that we have retained Carole Hull, formerly of Sunrise Assisted Living, as our Assisted Living Consultant. Carole will provide an additional resource to our assisted living members on regulatory compliance issues. She will be available to answer member questions and provide us with direction on regulatory and legislative issues related to assisted living. We are pleased to be able to offer this enhanced level of member service and hope that you find it a great benefit as well! Also last month, we bid a fond farewell to Melanie Roth, who served as our Director of Education and Member Services. We wish her success in her new endeavors!

And finally, a drum roll! We are pleased to announce that Pam Wright of Marycrest Assisted Living is the lucky winner of the education survey drawing for the free registration and hotel room at our convention this May. The convention brochure is in the mail and posted on our website. This convention is shaping up to be our best yet. Be sure to mark your calendar for May 20<sup>th</sup> – 21<sup>st</sup> and make those reservations now!



Laura Landwirth  
Executive Director

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CAHSA  
1888 Sherman St., Suite 610  
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**Laura Landwirth**  
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## Fallout Continues from New Medicare Cost Estimate

Democratic furor continued over the recent Bush administration estimate of a \$534 billion price tag for the Medicare reform law – \$139 billion more than an earlier Congressional Budget Office estimate. Sen. Max Baucus (D-Mont.) introduced a bill that would require the CMS to provide Congress with access to information and estimates from the agency's actuaries. Democrats have asked when the Bush administration knew of the \$534 billion estimate since it became public last month.

The Medicare reform legislation was passed by Congress in November 2003 at a time when the only publicly available government estimate of its costs was the CBO's. Baucus said that the Balanced Budget Act of 1997 established the Office of the Actuary within the CMS to provide Congress with "cost and other data as requested, (but) a free flow of information has not occurred – particularly over the past year."

HHS Secretary Tommy Thompson told a House panel that the \$534 billion estimate was not calculated until late December.

-USA Today

## Disease Management Programs: Improving Health While Reducing Costs?

As people with chronic health conditions account for 78% of U.S. healthcare spending, disease management programs have been successful in improving patient self-care practices, reducing use of healthcare services and decreasing healthcare expenditures for certain populations, according to an issue brief from Georgetown University's Center on an Aging Society. However, disease management programs, found in both HMOs and Medicaid programs, require patients' commitment and time to be effective, the brief says. <http://ihcrp.georgetown.edu/agingsociety/>

## Transportation Programs Receive Minute Bump in President's Budget

The President's FY05 budget provides a small overall increase – 0.2 percent – for Older Americans Act (OAA) programs, level funds SSBG, and cuts funding for Section 5310 Transportation programs for the elderly and persons with disabilities. Of OAA programs, the Family Caregiver program and the Congregate Meals program each would receive the largest requested increases over FY2004 funding of about \$3 million. Supportive Services and Centers and the Home Delivered Meals programs each received a \$1 million increase. For a detailed chart, visit AAHSA's website at [www.aahsa.org](http://www.aahsa.org).

## Sculley Replacement Nominated

The White House announced February 20 that Dr. Mark B. McClellan, the food and drug commissioner, would be nominated to run Medicare and Medicaid, the health insurance programs for more than 70 million Americans. Dr. McClellan faces a huge logistical and political challenge: to provide prescription drug coverage to the elderly while fending off Democratic attacks on the new Medicare law, which Mr. Bush sees as his greatest achievement in domestic policy. If confirmed by the Senate, Dr. McClellan will become administrator of the Centers for Medicare and Medicaid Services, which spends more than \$480 billion a year and regulates nearly every sector of the nation's health care system.

While firmly committed to the president's free-market policies, Dr. McClellan has shown a knack for working with members of both parties in a pragmatic way that blends science, economics and politics. Dr. McClellan, a physician and economist, has received rave reviews from drug companies for his work as chief of the Food and Drug Administration, a post he assumed in November 2002. He served earlier at the White House as health policy coordinator and a member of Mr. Bush's Council of Economic Advisers. In the Clinton administration, he worked on domestic policy as a deputy assistant secretary of the Treasury in 1998-99. -Baltimore Sun

## Bush Administration to Review Medicaid Financing

After strenuous protests from governors of both parties, the Bush administration said February 22 that it would reconsider tough new rules on the financing of Medicaid that could limit the states' ability to provide healthcare for millions of poor people.

Tommy G. Thompson, the secretary of health and human services, conveyed the administration's decision to governors at the winter meeting of the National Governors Association. State officials say soaring Medicaid costs have put them in a fiscal vise, as revenue collections have been stagnant in recent years.

Federal officials did not withdraw the proposed Medicaid rules but promised to consult governors and to solicit public comment for 60 days before enacting the restrictions. The restrictions would give federal officials sweeping new power to review state decisions on Medicaid spending and the sources of revenue used by states to pay their share of Medicaid costs. The proposed changes have touched off an uproar among state officials. Gov. Dirk Kempthorne of Idaho, a Republican who is chairman of the National Governors Association, said the federal government was imposing "new administrative requirements and new costs on the states." The Medicaid money runs out June 30.

- NY Times

National News continued on Page 11

# Best Practices

## Cinnamon Park Debbie Setlock, Administrator

Founded by local physicians in 1989, Cinnamon Park Assisted Living Residence has been serving low-moderate income seniors in the Longmont area for nearly fifteen years. Two years after opening, the facility was sold to Senior Housing Options, which owns and operates facilities across Colorado. The original owners bestowed the name Cinnamon Park because the facility is located on Cinnamon Street, and because they wanted the grounds to be very park-like. Located on three acres, Cinnamon Park encourages residents to spend time outside by providing lots of walk paths, benches and trees to sit under.

Cinnamon Park employs 27 staff members and currently has 48 residents (average age of 80), split between two adjacent buildings. The original owners envisioned small groups of people living together to foster a community philosophy and an atmosphere that would be more home-like. Administrator Debbie Setlock has been with Cinnamon Park for 11 years and believes that the small size of her organization gives it a more residential feel.

"We have a corporate office but they're very soft in their presentation here. Obviously we get a lot of corporate support on regulations and procedures, but there's a lot of freedom for each facility to grow as they should based upon the population that they serve and the community that they live in."

Cinnamon Park signed the AAHSA Quality First Initiative last November because according to Setlock, "Our company is committed to trying to find strategies that make us better. We know how important it is as an industry and as a facility to do a very good job because if we don't, we all suffer and we move into more of a medical model approach, which isn't good. Assisted living has a unique perspective on aging and community aging so I think a lot of us are very committed to making sure that we do a good job so that we don't have government imposing the guidelines."

As for starting to implement the initiative Setlock says, "I really need to dig in a whole lot more. I'm still working on the 2004 goals of what I want to do, but I'm excited about looking at a new year and seeing what we want to do." Setlock has also made a renewed commitment to get involved with the Colorado Culture Change Coalition. "It's naïve to think that we don't have to be thinking about change and humanizing kinds of change to make our environment more to what our residents want and will make them feel better about their life and more connected, more enlivened."

Cinnamon Park has developed a special working relationship with Longmont United Hospital through the hospital's Prestige Plus Wellness Program. "The hospital has been particularly kind to us, and I appreciate that a lot," said Setlock, who has collaborated with the hospital to develop recreational programming for her residents. Together they've established monthly wellness clinics and annually host a wellness challenge for seniors in the Longmont community. In addition, the hospital has provided a series of wellness talks and programs on topics like humor, attitude, tai chi, art therapy and music therapy.

Cinnamon Park was the first facility in Longmont to participate in the hospital's music therapy outreach program. The hospital brought drums and other types of musical equipment to the facility and worked with residents three times a week for 10 weeks. "It was cool because you could really feel when they were all unified in their drumming, which is what it's supposed to do. It's supposed to bring about a spirit of wellness through the use of music as a medium," said Setlock.

The hospital also introduced Cinnamon Park residents to juicing, which they are now doing bi-monthly. Juicing parties include basic education about the nutritional health benefits associated with drinking juice, before sorting through recipe concoctions to find the perfect blend of fruit flavors.

Every year Setlock plans a weeklong theme celebration to honor National Assisted Living Week, which she sees as a great opportunity to celebrate her industry. "It's a week full of fun. I put everything aside and just party with them [residents]." In previous years she's planned a western theme, 1950s and 1940s celebrations and pretended to take residents on a cruise with "Cinnamon Sea Lines." She is still working on the details for this year's celebration – Sept. 18-20 – but would like to create events and programs with more of a fundraising focus in lieu of a theme.

Most recently, three Cinnamon Park residents – Pat Mayfield, Marjorie Mikels, and Adalea Shaver – were featured on the Rocky Mountain PBS-televised program "And Thou Shalt Honor: A Town Hall Meeting on Caregiving," taped during last year's annual AAHSA convention in Denver. The women attended the convention and participated in the program, which featured many local aging, healthcare policy, and caregiving experts, including Setlock, who served on the advisory panel also. "I was tickled to be able to have our residents experience that this is truly a professional industry that is committed to doing good work and fostering further growth in the right path."

Cinnamon Park is an excellent example of an organization that is working hard to promote an overall sense of health and wellness on all levels for its residents. We toast their enthusiasm!



**Debbie Setlock**

## Another View

**"If you could sit down with your legislative representative, what would you most want to discuss?"**

"The definition of insanity; and the definition of insanity is continuing to do the very same thing and expecting different results. The legislature keeps expecting changes and trying to make changes in senior services and especially skilled nursing facilities and longterm care, without giving us different tools under which to operate."

**Mary Grace Smigiel**

Executive Director

**Christian Living Campus-  
Johnson Center**

"I would advocate on behalf of older adults and particularly in support of older adults having choices and the ability to remain living independently and in the community for as long as possible. I think that there needs to be greater recognition for older adults and the value that they bring to the community and the benefits that society derives from the contributions that they make. There are several bills currently being proposed – one concerns the property tax write-off, which would certainly benefit older adults, particularly those who are on a fixed income. Having their property tax reduced would free up resources for prescription drugs and just be able to stabilize the cost of living. I would also advocate that the state legislature support the Older Coloradoans Coalition."

**John Zabawa**

Executive Director

**Seniors' Resource Center**

"I would ask them to restore the cuts they made to the Medicaid programs back to the original spending limits they had, based on the TABOR limitations we have. When you cut a program by five or twenty percent and the TABOR and the Arveschough amendments only let you increase spending by six percent, you're actually losing ground every year. What are they going to do to restore them at least to the limits where they were before?"

**Richard Larsen**

Owner

**Colorado Springs Senior Homes**

## A Business Partner

**Sandy Efseaff**

**RehabWorks**

**How long have you been a member of CAHSA?**

Since Fall, 2003.

**Why did you become a member?**

Serving as the new representative for RehabWorks in the Mountain States and Pacific Northwest, I am pleased to continue in the steps of my predecessor, Shelley Wisnowski.

**What would you like members to know about your service/product?**

As a physical therapist with over 17 years of clinical experience, I am very proud and excited to be a part of RehabWorks, which provides contract therapy services and program development for physical therapy, occupational therapy and speech therapy.

**What do you think is the biggest challenge for providers in relationship to your service/product?**

Time. People are so very busy these days. I appreciate and truly value their time to meet, discuss what we can offer, or to consider information we can provide. We can help save money, boost revenues, provide excellent therapy service and take away some of the worries and concerns associated with rehabilitation.

**Who's your hero/heroine?**

My parents. My grandparents immigrated to America and my parents carried on their farming tradition. Loving, hard-working and dedicated, they encouraged me and enabled me to do something no one in my family had done, graduate from college. I was able to go from a farm to "the Farm" (Stanford University) and received my Master's degree in Physical Therapy from Baylor University/US Army.

**What do you do on your time off?**

My husband and I drive car-pools for our kids and attend numerous soccer, basketball, and baseball games, swim meets, chess and karate tournaments, and associated practices for them. We are active volunteers in our community. I particularly enjoy theatre and music.



**Sandy Efseaff**

# Get out there!

## Tips for Gaining Exposure

### Using Appearance as a Professional Tool to Avoid "Wardrobe Malfunctions"

You know the old proverb "never judge a book by its cover?" Well, in reality, an audience will judge you within the first five seconds of introduction, primarily by your appearance. Appearance is a powerful tool and brief impressions can form lasting judgments. A professional appearance communicates a positive message and indicates respect for others. Dressing the part helps define your role in a situation and allows the audience to meet their expectations when you speak.

Throughout this column we've encouraged you to get out in the community and talk. Whether you are talking to colleagues, clients, reporters or a national television audience, it is important that your dress be appropriate. Clothes should be simple and understated, allowing people to notice you and not your outfit. Here are basic guidelines to consider when looking for the perfect outfit:

#### General Guidelines for Men's Apparel:

- **Colors/Patterns**—Blues, grays and jewel tones are the most flattering colors. Blue is the most pleasant color while gray denotes confidence, trustworthiness, success and authority. White enlarges things while black makes things disappear. If you are appearing on television, avoid sequins, polka dots, and checkered or multicolored fabrics. Extreme colors such as bright reds, blacks or whites are hard for camera lenses to balance.
- **Fit**—A good fit is essential to your appearance. It is better that an outfit be a bit big than too tight. Be sure you know in advance how an outfit looks and shifts in various positions—standing, sitting or moving.
- **Shoes/Socks**—Wear conservative, clean, and polished dress shoes. The color should be dark blue, black or gray and blend with your pants. Socks should be calf-length or above the calf.
- **Suit**—Wear a matching pinstripe or solid suit in navy, black or gray. You may also opt to wear a navy blazer and gray dress slacks.
- **Belt**—Select a leather belt that visually blends or matches with your shoes.

- **Shirt/Tie**—Wear a white or light blue dress shirt that contrasts with the jacket and tie. A silk tie should coordinate with the jacket and pants but choose one that strongly contrasts with the color of your shirt; selecting subtle or simple patterns enhances credibility.
- **Coat**—A full-length coat can be worn over your suit; avoid casual coats.
- **Jewelry**—Minimize jewelry and avoid necklaces. Wear no more than one ring per hand and a dress watch. Jewelry can accentuate your personality and be an asset if worn in moderation.

#### General Guidelines for Women's Apparel:

- **Colors/Patterns**—Same guidelines as men.
- **Fit**—Same guidelines as men.
- **Shoes/Hose**—Wear comfortable, clean and polished shoes with heels as low as you can tolerate. Choose well-fitting flat shoes or low pumps in colors that avoid making your feet a focal point. Avoid shoes that hinder walking fast and those with an open toe. Wear plain-style, non-patterned hosiery and select colors that flatter your skin coloring.
- **Suit**—Select a skirted suit, pantsuit or conservatively tailored dress that draws the eye to your face. Traditionally, skirts are knee-length but those slightly shorter or longer are also acceptable.
- **Shirt**—Select blouses or sweaters that provide visual interest. Avoid clothes that are transparent, too tight, have low necklines or revealing waistlines. Typically, arms are covered at least to the biceps and often to the wrist.
- **Jewelry/Accessories**—Add accessories to express your personality and accentuate your best features. A scarf or necklace is an effective way to enhance your appearance without becoming the main attraction. Avoid wearing too many accessories at the same time such as earrings, necklaces, and rings. Avoid dangling earrings.
- **Makeup**—Use natural-looking makeup and clear nail polish. This keeps the focus on you.

The level of formality that your appearance projects demonstrates that you understand the importance of the situation and that you respect your audience. When in doubt, remember that less is more, and making a conservative clothing choice is usually the safest bet. Your audience wants to see you first, plain and simple.

## AAHSA Reports on Bush Budget Impacts

Barbara Gay, government affairs specialist with the American Association of Homes and Services for the Aging (AAHSA) reported that President Bush's budget is not "crystal clear" on the issue of Medicaid proposals. "While it included some general rhetoric on the perceived need for continued Medicaid 'reform' and said that the Administration would continue to work with Congress on this issue, there was no detailed legislative proposal for capping federal spending on the program, as there was last year, and the budget figures for the program did not reflect any changes of the kind requested last year," Gay reported.

Other information AAHSA has received indicated that it is unlikely that Congress will want to cut Medicaid in an election year. In addition, the impending change in leadership of the House Energy and Commerce Committee, which has jurisdiction over the program, also makes it unlikely that block grant legislation will be considered.

"We are concerned about comments in the budget document, under the heading 'Medicaid Program Integrity,' indicating that the Administration wants to 'further curb' intergovernmental transfers, which they view as enabling states to draw down 'inordinate amounts' of federal funding," according to Gay. Intergovernmental transfers, IGTs, already are being phased out, and AAHSA will strongly oppose any effort to accelerate this process.

-[www.aahsa.org](http://www.aahsa.org)

# Housing News

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## Senior Housing Could Stay Level Under President's Budget

The President's FY05 budget request for affordable senior housing programs will, if HUD recaptures as much as it anticipates and funnels these funds back into the Section 202 housing program, be just about level with FY04 senior housing funds. While predevelopment grants from FY03 and FY04 are zeroed out in the President's request, the service coordinator program is made whole at \$53 million without any presumptions of rollover funds making this account whole (as was done for FY04).

AAHSA also noted that the Administration continues Congress's FY04 work by requesting funds for both assisted living conversion and capital repair needs. AAHSA's HUD budget chart can be found at <http://www2.aahsa.org/SiteSearch/SearchResults.asp?SC=Providers/Senior%20Housing>.

### HIPAA Deadline

The deadline is fast approaching for those members who took advantage of the HIPAA Business Associate Agreement grandfather provision. The deadline is April 14, 2004. If you have questions, call CAHSA's HIPAA expert Bill Fischer at Shughart, Thomson and Kilroy (303-572-9300) for more information.

# Assisted Living News

## Assisted Living Administrator Salary Increases

According to the sixth annual *Assisted Living Salary & Benefits Report*, recently published by Hospital & Healthcare Compensation Service (HCS), the national median salary of Assisted Living Administrators is \$53,040. This represents a 2.99% increase over last year's salary of \$51,501. The national median salary for Administrators in facilities with revenues of \$2,500,000 or greater was \$65,000, compared with \$50,748 in facilities with revenues less than \$2,500,000. The average bonus paid to the Assisted Living Administrator was reported as 15.62% of salary.

793 Assisted Living facilities—700 for-profit and 93 non-profit—participated in the study and provided compensation data on more than 31,000 employees nationwide. The report covers 14 management and 23 non-management positions. Data are reported according to for-profit and non-profit status, revenue size, unit size, geographic region and state. Also covered are 22 fringe benefits, turnover rates by department, and projected salary increases for 2004. Data are effective as of October 2003.

HCS, a recognized leader in healthcare salary and benefit research, publishes the annual report in cooperation with the American Association of Homes and Services for the Aging (AAHSA). The report is supported by the National Center for Assisted Living (NCAL). The reduced price for the report for AAHSA and NCAL members is \$225.00. The price for non-members is \$295.00. For more information or to order a copy of this report, please call 201-405-0075 or visit [www.hhcsinc.com](http://www.hhcsinc.com).

## Video Aids Assisted Living Consumers

The Consumer Consortium on Assisted Living is offering a new video designed for consumers who are considering moving into an assisted living facility.

*Choosing Assisted Living...What You Need To Know* features the voices and experiences of family members, residents and professionals. The video covers the wide range of information people need to consider before making a good selection.

The video is a companion to CCAL's consumer publication, *Choosing An Assisted Living Facility: Considerations For Making The Right Decision*. The booklet includes a facility comparison guide for consumers to use in touring multiple facilities.

CCAL is making the video (\$29.95) and booklet (\$12.95) available to consumers on its website, [www.ccal.org](http://www.ccal.org) or by calling 800/562-3035. Reprinted with permission, CD Publications, *Housing the Elderly Report*, February 2004. For free sample issue call 1-800-666-6380.

## Bonuses Help Retain ALF Employees

Some elder care companies are using employee bonuses as a way to retain employees, according to *The Boston Globe*. *The Globe* cited Benchmark Assisted Living of Wellesley, MA, and Aegis Assisted Living of Redmond, WA, among the companies giving low-wage workers a chance to earn additional money based on performance. Critics of bonuses say it would be better to pay low-wage earners more, rather than offering bonuses to some of them. The bonuses may be more difficult to earn for employees in less visible positions, critics say. Benchmark has an annual employee turnover rate of 56%, compared to 93% for the assisted living industry, *The Globe* reported.

## Best Practices

The GAO has been called on to review "best practices" currently in use in assisted living residences across the country. The three areas the GAO will examine include: licensing assistance that states offer to these providers; disclosure of full and accurate consumer information; and procedures used to address consumer complaints.

-McKnight's

## ALFA Contributes to HHS Study of Negotiated Risk Agreements

ALFA recently weighed in on the topic of negotiated risk agreements in assisted living at the request of the U.S. Department of Health and Human Services' Office of Planning and Evaluation, which is conducting research on the topic. Ongoing communication among providers, residents, and families is essential to ensuring that seniors' needs and lifestyle preferences are accommodated in ways that promote health and safety, ALFA government relations staff affirmed, based on input from the ALFA Legal Committee.

Negotiated risk agreements, in which providers and residents agree to conditions under which activities involving health risks may be permissible, are used in some assisted living communities. Providers, residents, and families entering into negotiated risk agreements need to ensure that all parties clearly understand the risks associated with activities being considered; even in cases where no formal negotiated risk document is signed, providers are encouraged to promote discussion about maintaining a responsible balance between health, safety, risk, and independence. The study is expected to be published by the end of this year.

-Information courtesy of ALFA

## Assisted Living Studies

The Office of Planning and Evaluation in the Department of Health and Human Services has completed three of four studies directly related to assisted living. ALFA recently participated in the fourth project—an ongoing study of negotiated risks in assisted living, with significant input and assistance from ALFA's Legal Committee.

The following three completed studies may be viewed in their entirety at <http://aspe.hhs.gov/daltep/home.shtml>:

- *Trends in Residential Long-Term Care-Use of Nursing Homes and Assisted Living and Characteristics of Facilities and Residents;*
- *Estimates of the Risk of Long-Term Care: Assisted Living and Nursing Home Facilities; and*
- *Using Medicaid to Cover Services for Elderly Persons in Residential Care Settings: State Policy Maker and Stakeholder Views in Six States.*

-Information courtesy of ALFA <http://www.alfa.org>.

# Nursing Home News

## AAHSA Nursing Home Salary & Benefits Report

Hospital & Healthcare Compensation Service (HCS) is seeking survey participants for the 27<sup>th</sup> annual edition of the *Nursing Home Salary & Benefits Report*. Both the American Association of Homes and Services for the Aging (AAHSA) and the American Health Care Association (AHCA) encourage participation in the survey. HCS publishes the annual report in cooperation with AAHSA and supported by AHCA. Last year, 2,250 facilities—804 non-profit and 1,446 for-profit—participated in the survey that provides data for salaries, bonuses, wages, and fringe benefits granted to nursing home employees.

Survey participants will receive a 50% discount off the publication price, and may order the report for \$135. The price for non-participants is \$295. To access the questionnaire, visit the HCS website at [www.hhcsinc.com](http://www.hhcsinc.com), click on Submitting Data, and then click on Nursing Home Questionnaire to download the form. Completed questionnaires must be received by April 9, 2004. For more information, please contact Rosanne Cioffe at 201-405-0075, ext. 198, or email her at [rcioffe@hhcsinc.com](mailto:rcioffe@hhcsinc.com).

## Nursing Home Injuries Linked To Impairment

A study on violent episodes among residents in nursing homes that appeared in the *Journal of the American Medical Association* last week suggested using soft barriers, such as netting, to keep cognitively impaired residents from wandering into confrontations and being injured, Reuters reported. Researchers from the Harvard School of Public Health studied 1,100 cases of violence among nursing home residents in Massachusetts in 2000.

Residents who sustained injuries were more likely to be verbally aggressive and cognitively impaired, and may have inadvertently provoked the attacks by wandering into the personal space of others, Reuters reported.

## IFAS Releases Draft of LTC Workforce Measurement Guide

The Institute for the Future of Aging Services, a policy research institute housed within AAHSA, released a draft of the *Long Term Care Workforce Measurement Guide*. The guide is intended to help employers understand what their direct care workers want and what they can do to keep them. The Guide includes measurements for injury and illness rates, retention, turnover and vacancies which LTC organizations already measure. An excellent source for recruiting and retaining staff, this guide goes hand-in-hand with AAHSA's Quality First Initiative Point 6: Human Resources Development. Check out the guide at: [http://www.futureofaging.org/ConsolidatedMeasurementReviewGuide\\_112003.pdf](http://www.futureofaging.org/ConsolidatedMeasurementReviewGuide_112003.pdf) or call IFAS at 202-508-1208 to get a copy.

## CMS Releases Codes Affected by SNF Consolidated Billing

CMS released its annual update of HCPCS codes subject to consolidated billing rules under SNF PPS. The notification, in the form of Transmittal 92, gave providers a list of exclusions to consolidated billing, and listed new inclusions in the program. When a code is subject to consolidated billing, the payment for that service is included in the SNF PPS reimbursement rate, the transmittal stated. CMS reminds providers to go to <http://www.cms.hhs.gov/manuals> to read updates of HCPCS codes and get the latest inclusions and exclusions to consolidated billing.

## MDS Amendments May Not Show Up on CMS' Nursing Home Compare Site

If you make an amendment to your MDS, the corrected information will not show up on Nursing Home Compare unless it was made within the specific windows of that quarter. CMS downloads MDS information one month after the end of each quarter. The quarters are: January - March, April - June, July - September and October - December, 2004. You must make your amendments during this time, or your old information is what will be reported when people look at the information on Nursing Home Compare.

## ALFA Partners with *BusinessWeek* Magazine to Promote Assisted Living

ALFA has announced a new special advertising section partnership with *BusinessWeek* magazine to provide consumers with accurate, up-to-date information about assisted living. A special advertising section on long-term health care to be published May 31, 2004 will include compelling information for the 4.7 million readers of *BusinessWeek's* North American edition.

"As the largest association dedicated exclusively to assisted living, ALFA exists in order to promote excellence in this industry and to promote awareness of the many benefits of assisted living. We are pleased to partner with such a leading publication as *BusinessWeek* to further these goals," ALFA President/CEO Richard Grimes said in announcing the collaborative effort.

*-Information courtesy of ALFA newsletter.*

## Hurricane Spurs Two States to Propose Bills Requiring Emergency Power

In the wake of Hurricane Isabel, which knocked out electricity for days in some areas along the east coast last September, state legislators in Virginia and Maryland have crafted bills that would require assisted living residences to be better prepared in the event of a similar future emergency. Power outages resulting from the hurricane did not cause any known harm to assisted living residents. Nevertheless, industry representatives are working with lawmakers to ensure that requirements effectively protect resident safety and care while avoiding placing unreasonable burdens on businesses.

### ALFA Conference

Register today for the ALFA 2004 National Conference & EXPO taking place in Chicago, May 5-7, 2004. Discounted registration is available for a limited time. Questions? Call 1-800-258-7030.

Already registered? Pick up your badge at the conference during registration hours 8am-8pm May 5, 7am-6pm May 6, and 7:30am-noon May 7. Don't forget your hotel room! Call 703-449-6418 or register online at [www.alfa.org](http://www.alfa.org).

## Did You Know?

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... Imagine what America would have been like had we neglected to invest what we have in healthcare during the past 20 years. In a landmark study, researchers and a coalition of seven leading healthcare organizations have found that without such advancements these past 20 years, in the year 2000 there would have been:

- 470,000 more deaths,
- 2.3 million more people with disabilities, and
- 206 million more days spent in the hospital.

These and other findings are part of *The Value of Investment in Health Care: Better Care, Better Lives* report. The report was published in January by The Value Group. For additional information or to review the full report, visit [www.MEDTAP.com](http://www.MEDTAP.com).

# Adult Day News

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## Report: Shortage of Adult Day Services in Most U.S. Counties

Are there enough adult day service programs in the United States? Are they financially healthy? What kind of services do they offer?

These are a few of the questions raised – and answered – by the Robert Wood Johnson Foundation (RWJF)-funded National Study of Adult Day Services, the first of its kind. A research team directed by Nancy Cox, director of RWJF National Program *Partners in Caregiving: The Adult Day Services Program*, conducted the study with a \$400,000 grant from the Foundation, and \$95,000 from the Wake Forest University School of Medicine.

The current number of adult day centers – 3,407 – falls seriously short of the estimated 8,520 adult day centers needed nationwide, according to researchers. To learn more about the *Partners in Caregiving* survey and find out how adult day services stack up in Colorado, visit the Robert Wood Johnson Foundation Web site at <http://www.rwjf.org>.

## People & Places

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Barbara Dice from **Nightingale Suites at Springwood** announced that her facility was interviewed for an article in *Assisted Living Today* on the topic of emergency preparedness. The upcoming article highlights how they handled an internal emergency during a power outage as a result of last year's massive snowstorm. It should run in April!

Pam Wright of **Marycrest Assisted Living** is the lucky winner of the education survey drawing for the free registration and hotel room at our convention this May. Congratulations, Pam!

Congratulations to **Franklin Park Living Campus** for being featured in February on Channel 12 public television's *Senior Survival Network*. Nancy Van Rikxoord, Director of Marketing and Admissions for the Health Center, and Linda Hilton, Administrator for the Residences of Franklin Park, recounted the fascinating history of the site since its development in 1898 as a homeopathic hospital, and the Baptist Home Association's continued commitment to serving residents of the inner city area of Capital Hill since 1966. They talked about the services they provide and their outreach to serve the homeless. The Franklin Park Campus of the Baptist Home Association is a long-standing member of CAHSA.

Eunice and Tom Kinrade, owners of **Colorado Assisted Living Homes LLC**, announced the acquisition of GrandCare Homes, Inc. of Littleton. Eunice Kinrade RN BSN and her husband Tom started Colorado Assisted Living Homes LLC and opened their first home in Littleton in 1997. Colorado Assisted Living Homes LLC now own and operate six residential-style family assisted living homes, each licensed for between six and eight residents. [www.coloradoassistedliving.com](http://www.coloradoassistedliving.com).

On March 1, **Allied Housing, Inc.**, a non-profit community in Cherry Creek, opened its computer lab for seniors. The computer center provides Allied's residents with a lab and training for basic computer skills, including word processing, the Internet and email. In coming months, the center will be open to receive community visitors also. Allied will host an open house and cocktail party for the Denver community on March 18 at 6 p.m. Everyone is invited; please RSVP by March 12 to Jessica Ross, Administration Director, at 303-399-1146.

**Eaton Senior Programs** is proud to announce the opening of Willow Glen Senior Residences in Lakewood. Willow Glen was financed through a tax credit program and offers 70 apartments to independent, low-income seniors. Amenities include free underground parking, complimentary high speed internet access, exercise room, computer lab and beauty/barber shop. Please call 303-996-7770 for more information.

**Wellspring Senior Foundation and Eaton Senior Programs** present their annual fundraiser; you are invited to join them for "A Taste of Italy" Wednesday, March 31, 5 - 6:30 p.m. Dinner tickets are \$10. For reservations or more information please call 303-937-5107.

# National News (cont.)

## CDC Report: Wrong Medications Prescribed to Seniors One in 12 Times

Elderly U.S. patients are prescribed improper medications in about one out of every 12 physician visits, according to a CDC study published in the *Archives of Internal Medicine*. The study, which examined patient data from hospital outpatient departments and physician offices from 1995 to 2000, found that elderly patients were prescribed improper medications about 8% of the time, or in an estimated 16.7 million physician visits. According to the study, physicians were more likely to prescribe improper medications when they prescribed more than one treatment. The study also found that physicians were two times as likely to prescribe improper medications to women than to men. Researchers could not determine the cause of the problem, but past federal studies have cited a lack of communication between physicians and pharmacists, failure to provide elderly patients with proper instructions on medications and inadequate medical education on the treatment of elderly patients. "This is a sizable problem," Diane Makuc, a CDC statistician, said, adding, "Hopefully these results will encourage healthcare plans, drug companies, physicians and patients to all look at this issue more carefully."

-Associated Press

## FDA Launches Information Campaign in California

Federal authorities started an information campaign in California to try to discourage people from buying their prescription drugs from Canada. The U.S. Food and Drug Administration, along with the California Pharmacists Association, announced plans to distribute pamphlets and other materials to pharmacies and consumers about the dangers of buying drugs from foreign countries. This comes at a time when many states are proposing ways to help customers buy their drugs from Canada.

-San Francisco Chronicle

## PACE Market Assessment Studies

The National Programs of All-inclusive Care for the Elderly (PACE) has selected eight states to participate in market assessment studies. Iowa, Kentucky, Minnesota, New Jersey, Oklahoma, Utah, Virginia and West Virginia will choose communities to be assessed for the potential implementation of a PACE program. Funded by the Centers for Medicare and Medicaid Services (CMS), the market assessments will help area health care providers, aging services organizations, government agencies and sponsors of senior housing to gain a better understanding of the potential benefits a PACE program can offer their community. Currently, 17 states have operational PACE programs.

## Classifieds



Please visit the classifieds on our website - [www.cahsa.org](http://www.cahsa.org)

I am looking for a marketing/public relations position with a retirement community in the Denver area. I have over seven years experience in marketing a variety of for-profit and non-profit communities which have included independent living, assisted living and Alzheimer's care. I am making the move to Denver from Minneapolis, Minnesota this spring and would be available to interview in March. I can be reached at home, 763-268-0854, or by email at [foremanmuflar@aol.com](mailto:foremanmuflar@aol.com) and would be happy to provide my resume and references.

EPOCH Senior Living has an outstanding opportunity for an Executive Director to direct an upscale assisted living community in south Denver. Requires 3-5 years ED experience in similar community with proven results. Very competitive compensation and benefits. Forward resume and references ASAP to Dale J. Zulauf at [dale.zulauf@epochsl.com](mailto:dale.zulauf@epochsl.com), 970 369-4455.

Robert Russell Eastern Star-Masonic Retirement Community, located in Denver, is a campus consisting of assisted living and independent living housing. The Executive Director is responsible for the day-to-day operations, overseeing campus financial and staff performance, ensuring the mission of the community is present, resulting in a positive culture, as well as implementing operational excellence, compliance with federal, state, and local standards for operation and maintaining state licensure. Qualifications: minimum 2 years experience and/or training or equivalent combination of education and experience. Robert Russell Eastern Star-Masonic Retirement Community is managed by Health Dimensions Group, an experienced senior housing/long term care management company. Please direct resumes to Health Dimensions Group, 7101 Northland Circle, Suite 110, Minneapolis, MN, 55428 or via email to [lauriew@hdgi1.com](mailto:lauriew@hdgi1.com) or fax to 763-537-9200.

# Resources

**The Archstone Foundation** is a private grantmaking organization, whose mission is to contribute towards the preparation of society in meeting the needs of an aging population. To learn more about applying for a grant through the Archstone Foundation, visit [www.archstone.org](http://www.archstone.org).

**Free Products for Nonprofits:** Elderly-housing facilities owned by 501(c) (3) nonprofits are eligible to receive free supplies from the Nat'l Assn. for the Exchange of Industrial Resources. By paying an annual membership fee ranging from \$475 to \$575, NAEIR says, participants can receive an average of \$19,000 worth of free products, including office supplies, clothing, shoes, cleaning and maintenance products, and tools. Since being established in 1977, NAEIR has received and distributed more than \$1 billion worth of new, donated supplies and equipment, often from manufacturers that have excess inventory in their warehouses. Under IRS regulations, materials received from NAEIR must be used to assist or care for the ill, needy or minors. For more information call 800/562-0955 or visit [www.naeir.com](http://www.naeir.com).

*Reprinted with permission, CD Publications, Housing the Elderly Report. February 2004. For free sample issue call 1-800-666-6380.*

The National Institutes of Health (NIH), Centers for Disease Control and Prevention (CDC), and the Food and Drug Administration (FDA) have just released the **Small Business Innovation Research/ Small Business Technology Transfer (SBIR/STTR)** Grant Application Program and Research Topic descriptions for applications due April 1, August 1, and December 1, 2004. The research topics are in program areas that may be of interest to small businesses that want to develop projects with a potential for commercialization. For details and information, check the website at: <http://grants2.nih.gov/grants/funding/sbir.htm>.

**The Center for Aging Services Technologies (CAST)** has an initiative to assist in setting the standards for organizations wanting to include long term care in Electronic Health & Wellness Records. In order to encourage and study what organizations are doing today, CAST is setting up a clearing house (website) to gather ideas and project information. Anyone interested in providing input can visit the CAST website starting March 5 at <http://www.agingtech.org/prototype>. If you need assistance entering data please email [mbastian@christianlivingcampus.org](mailto:mbastian@christianlivingcampus.org).

## Thank You to the sponsors and exhibitors for CAHSA's 2004 Conference:

**Bass & Bradshaw**

**Christian Living Campus**

**Eaton Senior Programs**

**GL Specialties**

**Golden West Senior Residences**

**HDS Services**

**Kindred Pharmacy Services**

**Mountain States Employers' Council**

**NeighborCare**

**Porter Hospice**

**RehabWorks**

**Schryver Medical Sales & Marketing**

**Total Longterm Care**

**US Foodservice**

# The CAHSA Calendar

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- March 4**                    **CAHSA's Legislative Luncheon**  
12:00 PM – 1:30 PM  
Maggiano's Little Italy, Denver Pavillions
- March 9**                    **Housing Group**  
9:30 AM  
Christian Living Campus, Johnson Center
- March 15-17**            **AAHSA Future of Aging Services Conference**  
Washington, DC
- March 17**                    **CAHSA Adult Day Coalition**  
10:00 AM – 1:00 PM  
Daybreak Adult Day, Denver
- May 5-7**                    **ALFA 2004 National Conference & EXPO**  
Chicago, IL
- May 20-21**                **CAHSA Annual Convention**  
Vail, CO



*Get more information on  
these events from our  
website - [www.cahsa.org](http://www.cahsa.org)*

**Don't forget to register for  
CAHSA's Annual Convention  
May 20-21 at the Vail Marriott!**

## Important Notice regarding CAHSA's New Workers' Compensation Program

By now, you should have received a survey letter from Ascent Insurance Services, LLC regarding information needed for a feasibility study being done for a new CAHSA workers compensation insurance group dividend plan. If you haven't already had a chance to complete the questionnaire, it's not too late. Please take a minute to do so and either fax or mail your response today.

### Welcome to a new CAHSA member!

Sunnyrest Health Care Facility, Inc.  
Janet Burns, Administrator  
2400 E. Cache la Poudre  
Colorado Springs, CO 80909  
719-471-8700

### Thank you for your Membership Renewal in February!

Allied Housing, Inc.  
Allied Jewish Apartments  
Bridge Assisted Living at Life Care Center at Longmont  
Bridge Assisted Living at Life Care Center of Greeley  
Eaton Senior Programs  
HealthOne Alliance Johnson Adult Day Program  
Kindred Pharmacy Services  
Lancaster Pollard  
Lantz-Boggio Architects  
Libby Bortz Assisted Living Center  
NeighborCare Pharmacy  
Newman & Associations  
The Oberon

Pinon Managements  
RehabWorks  
Schryver Medical Sales and Marketing  
Seniors' Resource Center Adult Day and Respite Services - Central  
Seniors' Resource Center Adult Day and Respite Services - Evergreen  
Seniors' Resource Center Adult Day and Respite Services - Northwest Site  
Seniors' Resource Center Adult Day and Respite Services - Southwest Site  
Ziegler Capital Markets Group