

washingtonpost.com

Assisted Living Facilities

Maurice Jones
Virginia Department of Social Services Commissioner
Monday, May 24, 2004; 11:00 AM

An investigation by The Washington Post found thousands of incidents of harm at Virginia's assisted living facilities, 627 homes licensed by the state to care for more than 34,000 disabled residents. The 18-month probe found a troubled and worsening record of care at the facilities, including avoidable injuries and death, and a system of state oversight that often failed to identify or correct problems.

Thousands of state licensing documents and computer records provide a detailed picture of the problems in the assisted living industry, which cares for the elderly and disabled who are not sick enough to require a nursing home.

Maurice Jones, Virginia commissioner of the Department of Social Services, discussed The Post's investigative series on assisted living.

The transcript follows.

Editor's Note: Washingtonpost.com moderators retain editorial control over Live Online discussions and choose the most relevant questions for guests and hosts; guests and hosts can decline to answer questions.

Maurice Jones: We want to thank the Washington Post for bringing these issues to the forefront of public attention and conscience. We believe the series so far has provided a valuable service to the public, the assisted living industry, and to the adults and families served by this industry.

We hope the series will help command the sustained attention of all the stakeholders who must act in concert to revamp the policies, practices and infrastructure necessary to provide safe and caring environments and services for consumers of assisted living services.

Arlington, Va.: With all the horror stories reported in the Post, what steps should I take when visiting assisted living homes and finding the best one for my mother?

washingtonpost.com: [As Care Declines, Cost Can Be Injury, Death](#) (Post, May 23)

Maurice Jones: Make an honest assessment of physical, financial, mental and lifestyle needs. Visit as many facilities as possible. Narrow your selection to two to three facilities. Ask to review a copy of the contract between the resident and the facility. Ask the Virginia Department of Social Services to provide a licensing inspection report. Make unannounced visits. Choose a facility that comes closest to meeting your needs.

▼ ADVERTISING

Mortgage Rates Hit Record Lows!
Click Your State & Refinance Today

ALABAMA	MONTANA
ALASKA	NEBRASKA
ARIZONA	NEVADA
ARKANSAS	NEW HAMP.
CALIFORNIA	NEW JERSEY
COLORADO	NEW MEXICO
CONNECTICUT	NEW YORK
DELAWARE	N. CAROLINA
FLORIDA	N. DAKOTA
GEORGIA	OHIO
HAWAII	OKLAHOMA
IDAHO	OREGON
ILLINOIS	PENNSYLVANIA
INDIANA	RHODE ISLAND
IOWA	S. CAROLINA
KANSAS	S. DAKOTA
KENTUCKY	TENNESSEE
LOUISIANA	TEXAS
MAINE	UTAH
MARYLAND	VERMONT
MASSACHUSETTS	VIRGINIA
MICHIGAN	WASHINGTON
MINNESOTA	W. VIRGINIA
MISSISSIPPI	WISCONSIN
MISSOURI	WYOMING

Less-than-Perfect Credit OK

LowerMyBills.com
copyright (c) 2004, LowerMyBills.com. All Rights Reserved

Upper Marlboro, Md.: What role if any, does local government have in surveying the assisted living facilities in Virginia?

What immediate action can the state take against assisted living facilities with known cases of sexual and physical abuse?

Do any of these facilities have Ombudsman programs? If not please explain reasons.

Maurice Jones: If you suspect sexual or physical abuse, you should report that abuse immediately to your local department of social services or call the state toll-free hotline at 1(888) 83ADULT and to local law enforcement. Sexual abuse and physical abuse are crimes. We will initiate a joint investigation with licensing and adult protective services.

We need your help in this area. Reporting abuse means we can investigate and offer protections to these vulnerable citizens.

Vienna, Va.: In licensing a facility, what credentials are required of the owner/managers?

Maurice Jones: Owners must have financial responsibility, be of good character and reputation, and protect the physical and mental well-being of residents. There are no specific credentials required for ownership.

Administrators have requirements related to the level of licensure. The qualifications for administrators differ in these two levels. Requirements are higher for the assisted living level than the residential care level.

For assisted living, either two years of post-secondary education or one year of post-secondary education if the courses are highly relevant; and one year of experience in caring for adults are required.

At the residential care level, administrators need one year of post-secondary education or one-year of administrative or supervisory experience in group care. If they were employed before 1996, they do not have to have the post-secondary portion.

Vienna, Va.: The report seems to center on "licensed" facilities. What about the many unlicensed facilities. The facilities with three or less residents or the facilities that have more than three but don't bother to get licensed like the one I visited in Franklin county when I was looking for a place for my mom? Who oversees this segment of assisted living facilities?

washingtonpost.com: [Owner's Homes Troubled, Yet Aid Continued](#) (Post, May 23)

Maurice Jones: Homes are not subject to licensure under Virginia law until they serve four or more adults in one or more locations. We need the help of citizens to report facilities they believe may be operating illegally. Please call (804) 726-7144 if you believe a facility is operating illegally.

Alexandria, Va.: My parents were at two Sunrise facilities before they died. I was generally satisfied with the care, visited frequently, and made sure I knew the staff and they knew me. My daughter (then age 5)

became a pet of the staff, and I knew other families who also watched out, especially for my mother, once my father had died. But the series tells me none of this might have mattered; that I was not provident, but lucky?

Maurice Jones: You were doing exactly the right thing to assure proper care for your parents. Too often, the families of residents make assumptions about the care their family members will receive based on information provided by the facility. Good facilities value family participation in the care they provide.

To really ensure quality care for the residents, several stakeholders must be engaged. The family participation is indispensable. Thank you for your vigilance and diligence on this.

Vienna, Va.: How and to whom do you report a perceived problem in an assisted living facility?

Maurice Jones: Any suspected abuse, neglect or exploitation of a vulnerable adult should be reported to adult protective services in your local department of social services or to the statewide toll-free hotline at 1 (888)-83ADULT.

Alexandria VA: As a paramedic, I'm going into nursing homes and finding that the staff speaks marginal English, doesn't have the necessary paperwork to outline the patient's medical conditions, doesn't know how to do CPR, and can't identify when the patient is dead. What's worse, these nursing homes were actually the 'good' ones in Virginia. People are dying of neglect and ignorance.

Maurice Jones: Your points are well taken. Thank you for your comments.

Raleigh NC: Are assisted-living facilities required to keep statistics on crimes occurring on their properties?; Could such reports be made available to those who are looking for this type of housing?;

Maurice Jones: They are not required to keep such statistics.

Vienna, Va.: What is preventing the VA Dept of Social Services from doing a better job of oversight and regulation?

Maurice Jones: Regulation evolves from a mix of differing values and priorities.

The department and its partners must address such needs as strengthening laws and regulations responsibly at a pace that does not put conscientious providers out of service; and, to secure more resources to increase oversight of facilities and training services to facilities.

Mt. Rainier, Md.: If I read today's story correctly, a number of the assaults that took place were never reported to the police? Isn't it pretty horrifying that your mom or dad could be beaten up or raped by another patient, and it wouldn't even be considered a crime? Doesn't that make the staff accomplices after the fact?

Maurice Jones: These are crimes that must be reported immediately to law enforcement for investigation.

Suitland, Md.: Good morning,

If there is a website dedicated solely to the metropolitan area for assisted living, which lists all of the places in the area, if not all, but most or some, can you link me to it or tell me the site. Or another site that will assist me in finding the perfect home that suites my 76 year old grandmother's needs. Thanks so much.

Maurice Jones: To receive information on assisted living facilities in the metropolitan area, please call the Virginia Department of Social Services area licensing office in Fairfax at (703) 359-6727 and ask for the directory of licensed assisted living facilities in that area. I also recommend that you ask for information on the licensing history of the facility you are considering.

Springfield, Va.: Where is the line drawn when it comes to the right to privacy for a resident of an assisted living facility? My mother-in-law currently lives in a Sunrise facility and when we visit her I am amazed when staff members just knock once and come right in.

Maurice Jones: The resident has a right to privacy that must be respected. If you have concerns, please report them to your licensing office at (703) 359-6727.

Fairfax, Va.: Wandering seems to be a major problem; why are magnetic locks keyed to smoke and fire alarms not allowed?

Maurice Jones: All locks must be approved by the fire marshal.

Burke, VA: Just a comment. Yes, there are problems and some accidents are avoidable. But remember that there are many nice, clean, friendly assisted living facilities out there. My mother has stayed in 2 different No. Va nursing homes and they were both quite nice. A good friend has her mother in a different one and is pleased. Just remember to visit often, be friendly to the staff, from maintenance to receptionist, to Nurse assistants. Make friends with other visiting family members. Everyone can watch out for each other. Yes, a lot of the CNAs are overworked and underpaid. Acknowledge that. Thank them for their help. Your parent/relative may take a while to adjust to living there, but most people do just fine once they settle in.

Maurice Jones: Thank you very much for your positive comments.

Richmond, Virginia: Are there any plans for the State to change the way they investigate and/or inspect assisted living facilities in light of the number of problems noted in this article?

Maurice Jones: Some changes already have occurred since the incidents reported in the article took place. We have a new information system. Some staff have been added, although additional staff is needed to inspect at the desired frequency. There have been improvements in enforcement procedures. The department will seek additional improvements as regulations and legislation are considered.

We have completed the research phase in preparation for revising regulations. We expect a preliminary draft with the next 30-60 days. We look forward to input from and support of stakeholders as these regulations are revised.

Maurice Jones: Regarding the question about the role of local government in surveying assisted living facilities, please know that local government has no role in surveying assisted living facilities.

However, 120 local departments of social services throughout the state provide adult protective services to those who have been abused, neglected or exploited or who are at risk for abuse, neglect or exploitation. If an adult is in need, please call your local department and report such incidents immediately.

Maurice Jones: About the ombudsman program ...

Assisted living facilities do not have ombudsman programs. Some area agencies on aging do have ombudsmen. Contact your local area agency on aging to find out if it has an ombudsman.

Richmond, Va.: Is DSS taking steps to close facilities with repeated violations?

Maurice Jones: At any given time, there is a handful of facilities in denial or revocation action.

Oakton, Va.: Are there differences between the levels of service provided in assisted living places - according to whether they are MediCare OR Medicaid subsidized ?

Maurice Jones: Licensing standards are the same for all residents regardless of how their bills are paid.

Mt. Rainier MD: An excellent series, much-needed. My housemate is a paramedic who serves a number of nursing/assisted living homes in Alexandria. The paramedics are on the front line as witnesses of incompetence and abuse when they respond to these places. The owners are lining their pockets by cutting costs to the marrow on employees - salaries, training, benefits are all geared to attract only the desperate. There are too few at all times, leaving them overworked, tired, and angry. It's a combustible situation when they're working with vulnerable people. I believe the paramedics and emergency room staff should have a mechanism to report what they find. Currently all they can do is swear or cry.

Maurice Jones: As a result of legislation passed in the 2004 session of the General Assembly, emergency medical personnel will be mandated by law to report adult abuse to adult protective services beginning July 1. Emergency room staffs currently are mandated reporters and must report suspected cases of adult abuse, neglect or exploitation to adult protective services.

Alexandria, VA: Why are you supporting an article that shows only the bad things about Assisted Living? All of these incidents could have or HAVE happened in nursing homes.

Where are the list of wonderful things that have happened in Assisted Living? Where is the interview with the family that loved where they were, and had a good experience? Don't tell me they aren't out there! Otherwise this would be a dead option! Assisted Living thrives because people are looking for a better alternative to Nursing Homes, and Assisted Living Provides just that!

Maurice Jones: Your point is well taken that there are many wonderful things happening in these facilities. I'm very aware that we have conscientious owners who are working diligently day in and day out to provide quality care and service to the residents. Thank you for making that point. I should have made it earlier. I support your suggestion that the Post also should conduct interviews and highlight the wonderful things that are happening.

Anonymous: Any Good Ones? My parents have purchased long term care insurance which we hope will allow us to choose the quality and type of care that they need, whether in-home, assisted living or nursing home.

Please tell me that there are some good ones out there and how to know?

Maurice Jones: There are many wonderful facilities out there. If you want guidance on finding an appropriate facility, please call (804) 726-7144.

Maurice Jones: In closing, the Virginia Department of Social Services and our partners must address six interlinking needs:

- * Laws and regulations must be responsibly strengthened at a pace that will not put conscientious providers out of business.
- * Enforcement and appeal methods must be improved and streamlined.
- * More assistance must be provided to help the industry cope with a shrinking and untrained work force - a problem that will worsen as the nation ages.
- * Facilities that accept public money must be fairly compensated and held to strict accountability.
- * Consumers must have better information on which to make one of the most important choices they will ever make.
- * All citizens, but especially mandated reporters, must be better trained in recognizing and reporting adult abuse and neglect. Equally important, however, is that the will to prevent abuse must grow from a profound understanding that no society can be great or safe until it protects its vulnerable members.

We believe the overall level of resident safety has steadily and significantly improved over the past five years and we must continue to be diligent until we can assure the safety of this vulnerable population.

- * Our first goal is to assure health and safety. We have made progress even though there is much room for improvement.
- * We cannot stop with health and safety. Residents must be ensured opportunities to preserve their maximum potential for independence and a meaningful quality of life.
- * Additional improvements will occur because of the attention this story focuses on the needs of the industry and the families and agencies that look to the industry for safe care and on the needs of the regulatory

agencies.

* We urge the Post to do follow-up stories to help keep attention focused on this important issue.

A very special thank you to all who participated in this live discussion. I look forward to future discussions, and to working with all people of good will to enhance services to our fellow Virginians.

© 2004 Washingtonpost.Newsweek Interactive