

## COUNTY HOME ADVISORY COUNCIL MEETING MINUTES WEDNESDAY, AUGUST 6, 2003

### **Roll Call**

Chair Chuck Hawley called the meeting to order at 6:30 p.m. at the County Home.

Present: Cheryl Scheck, Ken Miller, Skip Sipos, Josephine Becks, Chuck Hawley, Brian Feron, Tanya Rodgers, Randy Schmidt, and Randy Bing.

Absent: Emily Muscatello

The following Ex officio members were present: Commissioner Steve Hambley, Joyce Farnsworth – County Home Administrator, and Lynn Remington – Assistant County Home Administrator. Carol Shockley from the County Prosecutor’s Office was also present. (A sign up sheet is attached at Exhibit A.)

Chuck Hawley said Laura Kuhl has resigned from the Council.

Steve Hambley said they would be making notice and advertising after this meeting regarding her replacement as one of the two members from the “Mental Health or Health Care Profession” category as specified by the resolution creating that position.

### **Approval of Minutes – June 28, 2003**

Chuck Hawley asked if there were any additions or corrections to the minutes and there were none. Jo Becks moved to approve the minutes and Cheryl Scheck seconded the motion. There was no discussion. All voted AYE and the minutes were approved.

### **Report of Progress on Admissions Policy**

Ken Miller reported that he reviewed the draft of the Admissions Policy and it seems like it covers the areas they wanted to address as far as protection of residents and compliance with regulations. Because it was done by a lawyer he is assuming that it covers the areas that they had concerns about to meet the legal requirements.

Carol Shockley said that the draft was done in conjunction with her discussion with the consultant, Marty Sweterlitsch. Carol read the 7/17/03 draft and gave the reasons for the changes they made and asked for input from the County Home Advisory Council. She and Marty felt that it was important to recognize, address, and include the following in the **Policy**:

- The County Home is a healthcare facility even though it is not a hospital. They are not required to provide healthcare, but they supply some level of care in that area.
- County Homes operate under the direction of the Commissioners. The County Home is another matter under the umbrella of the Medina County Commissioners if legal action is taken against it.

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- The County Home serves residents without regard to race, color, national origin, creed, sex, marital status, or religious beliefs. They dealt with issues in the past so they are saying up front that they are neutral in its consideration of these matters.
- Under the Residents' Rights Act that covers County Homes, the County Home should only have people reside there that they can adequately care for. They do not have the staff to care for a severely ill person. They are still working on documentation on how they will sort out the criteria. Their policies and procedures will deal with this matter.
- Priority in admissions is given to indigent residents of Medina County. Decisions about admissions are at the discretion of the Superintendent of the Home. Joyce Farnsworth has discretion, but it is colored by federal laws that protect civil rights.
- From the Residents' Rights Act, residents have the right to be safe and free from physical, verbal, mental, and emotional abuse. This was known in the past and is now written in their policy. As was discussed by Council, applicants who pose a threat to the health, safety, or welfare of residents shall not be admitted to the Home.
- The Home is supported by county tax levy funds and residents payments. The draft reads that it is not certified to receive Medicaid or Medicare payments on behalf of persons eligible for such medical assistance and, therefore, does not admit persons requiring nursing care and for whom the cost of such care can be met through Medicaid or Medicare programs. Carol said this does not mean that residents that are eligible for some benefits under Medicare cannot get the services, but the County Home cannot receive the funding and it is not part of the package. Individuals are provided funding as they are legally allowed, to deal with their specific needs. She gave an example that someone in their own home could get Medicare assistance, but that does not mean their home or rent is paid for by Medicare.

There was a discussion about the paragraph on receiving Medicaid and Medicare payments and Skip Sipos felt it was confusing where it says it does not admit persons requiring nursing care and for whom the cost of such care can be met through the Medicaid or Medicare programs. Carol said she would talk to Marty to find some language to make it clearer that Medicare cannot pay for room and board. Chuck Hawley asked if there was another source of revenue to pay for living expenses, and Cheryl Scheck said there was not. Residents have to meet a certain level of care to qualify for Medicare in a nursing home temporarily. Medicaid is payment for when they go to the doctor and for prescriptions. Lynn Remington further explained that all Medicaid and Medicare checks go to the providers of the services and the County Home does not do the billing either.

- Priority in admissions is given to indigent residents of Medina County.

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Skip pointed out that “indigent” was not defined in any way. He said if a line formed at the front door, the first person that was indigent would go to the front of the line, is the way he interprets it. He also questioned how they would determine if someone was more indigent than the other person. Joyce said that they have never had much of a lineup at the door, and they have never had to deal with priority from an income standpoint in the past. The term “indigent” comes from the olden days. Steve Hambley said that if they cannot pay the full cost of their room and board then by definition that makes them indigent. Jo Becks commented that “Indigent” probably does not need to be in the third paragraph and they could say, “All of the residents are required to apply for and accept any income or health benefits for which they may be eligible”. Ken Miller said that the whole purpose of the County Home being established was to serve those people. Brian Feron said that there are other documents in the Admissions Policy that determine the assets so they can still make that determination. Carol Shockley added that County Homes are for people that have no place else to go because they fall through the cracks. If someone else who is well funded and could go someplace else applied and there was only one space, she hopes the hand would be extended to the person that has no place else to go.

Carol pointed out in the second part of the same statement that priority in admissions is given to Medina County residents although residency is hard to establish. Ultimately it is where a person wishes to be considered a resident. Skip said that if a line did form at the door, the ambiguity in the Admissions Policy is not fair, in this litigious society, to place the burden on Joyce and Lynn. Jo Becks said since the County Home is supported by a county tax levy she would think that that is what the residents wish. Chuck said they would change the language to reflect the concept that everyone is responsible to apply for benefits if they are eligible for them.

### **Pre Admission Procedure:**

- Applicants for admission must complete an application for admission on forms provided by the Superintendent. Carol said this is still a work in progress and it includes an Admission Agreement, which is a document coming soon that updates the old one and makes it more compliant with legal requirements.
- The Superintendent decides whether to admit a resident after she reviews their records. Carol said that under the Residents’ Rights Act, the County Home has the obligation to accept people that they can supply appropriate care for.
- The Superintendent may require that the applicant be interviewed in person by staff of the Home and may require that the applicant be examined by the County Home’s medical director prior to making an admission.

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Chuck Hawley felt that this statement might cause a problem so the group discussed other options. Steve Hambley suggested they put that all of the applicants shall have to be examined by the Home's medical director if it is no additional burden. Lynn explained how the applicant's medical status is assessed now. Skip Sipos said that someone internal to the organization with a medical "hat" should review every application to concur or not with the applicant's personal physician's diagnosis. They need someone on the County Home "team" to say whether or not they have the ability to provide the level of care that person needs. If it was a huge cost on the County Home then it would be an issue, but now it is not. In order to take the burden off of the Superintendent and to prevent any discrimination of a protected class, Council considered putting "shall be examined" instead of "may require that the applicant be examined by the Medical Director from the Home". Steve asked if there was more than one physician or Medical Director, and Joyce said they have a contract with a doctor. He orders things done by other doctors.

- The Superintendent shall request consent to conduct a criminal background investigation. Carol said that a thorough check cannot be done without the applicant's permission.
- Carol said that there is a mandate to consider the health, safety, and rights of the residents. That is why applicants with a history of violent, aggressive, or unsafe behavior or criminal activity, including sex offenders, shall not be admitted to the Home. Residents live close to each other so the living style warrants not allowing behavior that could potentially harm residents. Refusal of consent to conduct a criminal background investigation shall be grounds for denial of admission to the Home.
- The Policy of the Home is to admit residents sequentially, based on the day an inquiry is received. Carol said that this is a policy statement that Marty put in that is up to group to look at and the Commissioners to adopt.

The group discussed current policy, and how they want to handle it in the future. Lynn Remington said that it is on a first come - first serve basis now. When a person applies but due to circumstances cannot live there right away, she dates the application, gets their phone number and calls them back periodically. Brian Feron said that admitting "based on the day an inquiry is received" means if a person made an inquiry and did not make his mind up until five months later, that would put him at the front of the line then, based on this statement. Carol said it should probably be changed to say, "It is the policy of the Home to admit residents sequentially, based on the date and time a completed application is received". Skip said if a person is offered a room and refuses, they should go to the back of the line. Carol said that they could add "When a bed is not available the applicant shall be placed on a waiting list until a bed becomes available".

- The Home must consider gender when determining whether or not a bed is available for an applicant.

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### **Post Admission**

- The Superintendent shall establish a date and time for admission. Carol said that this has been an issue in the past, and admissions need to be convenient for the staff and current residents. It is important to coordinate with procedures so that someone does not just show up at 11:00 at night when they are short on staff or at mealtimes.
- A responsible party or family member may (not “any”) be required to accompany the resident at the time of admission.
- At this time applicants are required to present proof of health care benefits coverage, if any, verification of income, and copies of any documents granting health care or financial powers of attorney. A guardian must provide a copy of his or her Letters of Appointment.

The group felt that the last paragraph “Persons accepted for residency who have not been examined by a physician within 30 days prior to the admission or whose health status is determined by the Superintendent to require review, must submit to a medical examination upon admission”, was redundant so it will be deleted and redrafted with Paragraph 5. Chuck said that the Admission Policy needed to be finalized at the August 27<sup>th</sup> meeting. Carol said that this is a blending of concepts that makes the County Home unique.

### **Committee Reports**

#### **Facilities Committee**

Chuck Hawley said that Joyce Farnsworth was asked to get them an estimate for the concrete they need for sidewalks by the pavilion to the ball field so those in wheelchairs can watch the games. He thought perhaps some of the service groups such as Kiwanis and Rotary could help out with the cost. The estimate they received from Campbell and Brown is for \$2,500, which was felt to be very reasonable. The necessary tree removal will be extra.

#### **Financial Report**

Steve Hambley reviewed the Financial Report provided by the Finance Director, Chris Jakab. The levy picked up some of the expenses that were not covered by revenue. The expenses were as anticipated. Chuck Hawley asked for operating cash flow projections at the last meeting so Chris prepared a sheet. It shows that in 2006 the County Home will start making a cumulative surplus thanks to the levy. 2007 is the last collection year for this levy.

#### **County Home Administrator’s Report**

Joyce Farnsworth, County Home Administrator, reviewed the written report she provided. She reported that they had 50 residents at the end of July. They admitted one person today so they are up to 51 residents. They are working on cleaning up the water damage from the recent storms and prevention. They received a letter from the County Home Association and Mary Sweterlitsch is working on a draft to request changes for the Social Security Income rule that

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applies to those in a public facility such as a jail or a County Home. Social Security stops immediately upon entrance into those facilities, but they feel that they should still be eligible to receive SSI. This will be presented to Congressman Regula. The County Home will be having a family picnic on September 7<sup>th</sup> from 1:00 to 4:00. The fire alarm panel has been repaired. The County Home Cookbook should be done in about a week. They received several livestock donations from citizens at the Medina County Fair 4H Livestock Auction, and they are very appreciative of their generosity. They have a full time maintenance worker at the Home now, and they have just hired a part time LPN and an aide.

**Other Business**

Brian Feron said that many citizens came forward with donations at the livestock auction. They paid a premium rate and then turned around and donated the livestock to the Home. He asked permission from Council to submit a Press Release to the newspapers acknowledging the community support and to thank the donors. Everyone agreed it was a great idea. Joyce pointed out that the residents also donated the processing costs for the livestock.

**Public Participation**

No one wished to participate at this time.

**Executive Session**

Roll Call was taken and Council went into Executive Session at 7:50.

**Adjournment**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Pam Vereb, Secretary